

JOURNAL OF THE FLORIDA SENATE

Wednesday, February 23, 1972

The Senate was called to order by the President at 8:30 a.m., for the purpose of conducting the order of business of introduction and reference of resolutions, memorials, bills and joint resolutions pursuant to Rule 4.3.

INTRODUCTION

By Senators Sayler, Ware and Deeb—

SB 1132—A bill to be entitled An act relating to Pinellas County; amending subsection (4) of section 4 and section 13 of chapter 71-859, Special Acts, 1971, relating to the Pinellas planning council; providing a procedure for filling vacancies due to unexcused absences; providing for cooperation by local governments and planning agencies; providing an effective date.

Evidence of notice and publication was established by the Senate as to SB 1132.

—was read the first time by title and referred to the Committees on Governmental Efficiency and Rules, Calendar, Privileged Business and Ethics.

By Senator Lane—

SB 1133—A bill to be entitled An act relating to the juvenile court of Broward County; providing for one (1) additional judge of said court to be elected at the general election in 1972; providing that said additional judge shall have the same qualifications, the same compensation and be subject to the same powers and duties as all other judges of the juvenile court as provided by chapter 13678, Laws of Florida, 1929, chapter 21863, Laws of Florida, 1943, chapter 22709, Laws of Florida, 1945, chapter 63-1050, Laws of Florida, chapter 70-573, Laws of Florida, and all other legislation pertaining thereto; providing an effective date.

Evidence of notice and publication was established by the Senate as to SB 1133.

—was read the first time by title and referred to the Committees on Judiciary—Civil A and Rules, Calendar, Privileged Business and Ethics.

By Senator Lane—

SB 1134—A bill to be entitled An act relating to Broward County, Florida; amending sections 3, 7, 8, 9 and 11 of chapter 65-1345, Laws of Florida, relating to Topeekeegee Yugnee Park district; providing for the execution of purchase money mortgages in connection with the purchase of lands and/or improvements; providing that checks may be signed by the vice-chairman of the commission and shall be co-signed by certain officers; providing that the interest rate on debt shall not exceed currently established rates permitted by the State of Florida; deleting the requirement that the board of county commissioners contribute tax monies to the district; providing for the borrowing of money against anticipated revenues; providing an effective date.

Evidence of notice and publication was established by the Senate as to SB 1134.

—was read the first time by title and referred to the Committees on Governmental Efficiency and Rules, Calendar, Privileged Business and Ethics.

By Senator Deeb—

SB 1135—A bill to be entitled An act relating to Pinellas County; amending subsection (1), section (3), Chapter 71-14, Laws of Florida; excepting Pinellas County from the repeal of County powers contained in the repeal of section 163.440, Florida Statutes; amending section 163.440, Florida Statutes, 1971, to require Pinellas County to have voter approval by referendum prior to putting any community redevelopment project into effect; providing for referendum solely by electors residing within said community redevelopment area including owners of real estate within said community redevelopment

area, whether said owners of real estate reside within the area or not in voting at a special or regular election on the question; providing an effective date.

Evidence of notice and publication was established by the Senate as to SB 1135.

—was read the first time by title and referred to the Committees on Governmental Efficiency and Rules, Calendar, Privileged Business and Ethics.

By the Committee on Commerce—

SB 1136—A bill to be entitled An act relating to certain consumer and other credit transactions; constituting the uniform consumer credit code as chapters 971 through 977, Florida Statutes, respectively; consolidating and revising certain aspects of the law relating to consumer and other loans, consumer and other sales or goods, services, and interests in land, and consumer leases; revising the law relating to usury; regulating certain practices relating to insurance in consumer credit transactions; providing for administrative regulation of certain consumer credit transactions; providing for an effective date; providing for transition; repealing sections 627.0990 through 627.1023, Florida Statutes; repealing sections 501.021 through 501.051, Florida Statutes; repealing sections 687.02 through 687.11, Florida Statutes; repealing section 687.071, Florida Statutes; repealing section 659.181, Florida Statutes; repealing section 656.50, Florida Statutes; repealing section 659.18, Florida Statutes; repealing chapter 516, Florida Statutes; repealing chapter 519, Florida Statutes; repealing chapter 520, Florida Statutes; amending section 656.17(1), Florida Statutes, 1970 Supplement, providing that the lending of money by industrial savings banks be subject to the uniform consumer credit code; amending section 657.14, Florida Statutes, providing that loan finance charges by credit unions be subject to the uniform consumer credit code; amending section 679.203(2), Florida Statutes, providing that transactions subject to chapter 679, Florida Statutes, be also subject to the uniform consumer credit code.

—was read the first time by title and referred to the Committees on Commerce and Judiciary—Civil B.

By Senator Thomas—

SR 1137—A resolution commending Allen Morris and designating the date of February 23, 1972, as Allen Morris Day.

—was read the first time and placed on the calendar without reference.

By Senator Thomas—

SR 1138—A resolution honoring Charles MacArthur, American playwright, and recognizing the genius of his works.

—was read the first time and placed on the calendar without reference.

By Senator Thomas—

SR 1139—A resolution honoring Miss Helen Hayes.

—was read the first time and placed on the calendar without reference.

The Senate recessed at 8:32 a.m.

The Senate was called to order by the President at 9:00 a.m. A quorum present—47:

Mr. President	Brantley	Gong	Johnson (34th)
Arnold	Broxson	Graham	Karl
Barron	Childers	Gunter	Knopke
Barrow	Daniel	Haverfield	Lane
Beaufort	Deeb	Henderson	Lewis (33rd)
Bell	de la Parte	Hollahan	Lewis (43rd)
Bishop	Ducker	Horne	McClain
Boyd	Fincher	Johnson (29th)	Myers

Ott
Plante
Pope
Poston

Reuter
Saunders
Saylor
Scarborough

Stolzenburg
Trask
Ware
Weber

Weissenborn
Williams
Wilson

The Committee on Judiciary—Criminal recommends the following pass: CS for HB 2008 with 1 amendment

The Committee on Governmental Efficiency recommends the following pass:

SB 660 CS for HB 1204 with 1 amendment
SB 335 with 1 amendment SB 473

The Committee on Judiciary—Civil A recommends the following pass:

HB 3183 SB 701
SB 663 SB 712
SB 665 SB 714 with 1 amendment
SB 666 HB 2702
SB 667 HB 3071 with 1 amendment

The Committee on Judiciary—Civil B recommends the following pass:

HB 2406 SB 363 with 2 amendments
HB 2387 with 2 amendments SB 640
HB 2386 SB 649 with 1 amendment

The bills contained in the foregoing reports were placed on the calendar.

The Committee on Governmental Efficiency recommends the following pass:

SB 682 SB 680 SB 693 SB 709

The Committee on Judiciary—Civil B recommends the following pass: SB 659

The Committee on Natural Resources and Conservation recommends the following pass: HB 167, HB 768 with 1 amendment

The bills contained in the foregoing reports were referred to the Committee on Ways and Means under the original reference.

The Committee on Personnel, Retirement and Claims recommends a Committee Substitute for SB 517.

The Committee on Judiciary—Criminal recommends a Committee Substitute for SB 66 with 2 amendments.

The Committee on Judiciary—Criminal recommends a Committee Substitute for SB 284.

The bills contained in the foregoing reports with Committee Substitutes attached were placed on the calendar.

The Committee on Governmental Efficiency recommends the following not pass: SB 391, SB 275

The Committee on Judiciary—Civil A recommends the following not pass:

SB 557 SB 598 SB 652 SB 664

The Committee on Judiciary—Civil B recommends the following not pass: SB 661

The Committee on Judiciary—Criminal recommends the following not pass: SB 171, HB 681

Excused: Senators Lewis (43rd), Plante, Wilson, Ott, Reuter, Beaufort and Karl, members of the Select Committee on Executive Suspensions, at 1:00 p.m. for the purpose of conducting a hearing; Senator Bishop after 3:00 p.m., Senator Broxson for the afternoon session.

Prayer by Senator Beaufort:

Our Father and our God we come to thee with bowed heads and humble hearts to ask thy forgiveness for our sinful ways. We ask O Lord for thy direction and guidance in the decisions we shall each make this day. Give us the courage to follow thy will; give us wisdom that we might make the right decisions; give us understanding hearts that will reach out to thy people in this state that thy will shall be done, and finally O Lord give us humble hearts that we might hear thy voice this day. For we make our prayer in thy holy name. Amen.

The Journal of February 22 was corrected and approved as follows:

Page 208, column 2, line 17, strike "822" and insert: 882

Page 228, column 1, strike lines 8 through 24 and insert:

By Senator Weissenborn—

SB 1106—A bill to be entitled An act relating to the state career service system; amending §110.051(2)(k), Florida Statutes, to add the coordinators of the various boards under the department of professional and occupational regulation to those positions exempt from the career service system; providing an effective date.

—was read the first time by title and referred to the Committees on Personnel, Retirement and Claims and Ways and Means.

By Senator Thomas—

SB 1107—A bill to be entitled An act relating to the creating of a new official senate seal; creating §11.49, Florida Statutes, to provide for the creation and description of the seal; providing an effective date.

—was read the first time by title and referred to the Committee on Rules, Calendar, Privileged Business and Ethics.

REPORTS OF COMMITTEES

The Committee on Rules, Calendar, Privileged Business and Ethics respectfully submits the following Special Order Calendar for Wednesday, February 23, 1972:

SB 432	SB 555	SB 337	HB 452	SB 549
SB 653	SB 374	SB 367	SB 300	SB 244
SB 1144	SB 366	SB 529	SB 280	SB 455
SB 187	SB 414	SB 566	SB 571	SJR 267
SB 329	SB 330	SB 123	SB 646	

Special Order—House Bills on second reading starting at 2:00 P.M.:

CS for HB's 1041, 1042 and 1044	HB 3271
CS for HB's 79 and 417	HB 104
HB 1467	HB 120
HB 1983-SF	HB 2446
HB 1043	CS for HB 3020
HB 1361	HB 1974
HB 1163	HB 1662
CS for HB 2606	HB 564
HB 1823	CS for HB 534

Respectfully submitted,
George L. Hollahan, Jr., Chairman

The bills contained in the foregoing reports were laid on the table.

ENGROSSING REPORTS

Your Engrossing Clerk to whom was referred—

SB 307 with 2 amendments	SB 500 with 6 amendments
SB 396 with 2 amendments	SB 553 with 3 amendments
SB 458 with 11 amendments	SB 677 with 2 amendments

—reports that the Senate amendments have been incorporated and the bills are returned herewith.

ELMER O. FRIDAY
Secretary of the Senate

The bills were certified to the House.

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Karl, SB 820 was withdrawn from the Committee on Public Schools by two-thirds vote and re-referred to the Committee on Commerce.

On motion by Senator Hollahan, the Committee on Rules, Calendar, Privileged Business and Ethics was granted an additional 15 days for the consideration of—

CS for HB 89	SB 579	SB 591
SB 574	SB 580	

On motion by Senator Poston, the Committee on Transportation was granted an additional 15 days for the consideration of—

SB 270	SB 334	SB 382	SB 409	SB 589
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On motions by Senator Lane, Senate Bills 356, 575, 590, 641, 753 and 755 were withdrawn from the Committee on Governmental Efficiency by two-thirds vote.

On motion by Senator Barron, the rules were waived and the Committee on Judiciary—Civil A was granted permission to consider Senate Bills 751, 760, 808, 834, 838; House Bills 2162 and 1614 on February 24.

On motion by Senator Horne, the rules were waived and the Committee on Judiciary—Civil B was granted permission to consider SB 1034 on February 24.

On motion by Senator Daniel, CS for HB 1528 was withdrawn from the Committee on Governmental Efficiency by two-thirds vote.

On motions by Senator Fincher, SB 872 was withdrawn from the Committees on Transportation and Ways and Means by two-thirds vote and from further consideration of the Senate.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Jerry Thomas February 18, 1972
President of the Senate

Sir:

I am directed to inform the Senate that the House of Representatives has passed—

By Representative Birchfield—

HB 3124—A bill to be entitled An act relating to the insurance code; amending the unnumbered paragraph and subsection (2) of section 625.111, Florida Statutes, so as to state specifically the amount of reserves, for how long they shall be maintained; providing that any previous or existing unearned premium reserve under prior law was and is impressed with a trust on them and otherwise limiting the purposes for which they shall be used; providing an effective date.

By Representative Conway (By Request)—

HB 3197—A bill to be entitled An act relating to the board of regents; amending section 240.073, Florida statutes, to authorize the board to fix and collect fees and service charges; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

HB 3124, contained in the above message, was read the first time by title and referred to the Committee on Commerce.

HB 3197, contained in the above message, was read the first time by title and referred to the Committees on Universities and Community Colleges and Ways and Means.

The Honorable Jerry Thomas
President of the Senate

February 18, 1972

Sir:

I am directed to inform the Senate that the House of Representatives has passed as amended—

By the Committee on Manpower & Development and Representative Trombetta—

CS for HB 673—A bill to be entitled An act relating to the Florida cosmetology law; creating the position of assistant cosmetologist; providing for qualifications, licensing, supervision, and examinations thereof; creating §§477.041 and 477.071, Florida Statutes; adding subsection (4) to §477.03, Florida Statutes; adding a new subsection (5) to §477.08, Florida Statutes; amending §477.02(1) and (6), 477.09(4), 477.10(1), 477.11, 477.12(2), 477.14(1) and (2), 477.17(1), 477.23(1)(a) and 477.27(14), Florida Statutes, to conform with this act; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

CS for HB 673, contained in the above message, was read the first time by title and referred to the Committee on Commerce.

The Honorable Jerry Thomas
President of the Senate

February 22, 1972

Sir:

I am directed to inform the Senate that the House of Representatives has passed as amended—

By the Committee on Finance & Taxation and Representative Firestone—

CS for CS for HB 390—A bill to be entitled An act relating to bingo and guest games; creating new subsections (8) and (9) of Florida Statutes 849.093; providing limitations on the conduct of such games and on the receipt of funds derived therefrom; providing criminal penalties; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

CS for CS for HB 390, contained in the above message, was read the first time by title and referred to the Committee on Commerce.

*The Honorable Jerry Thomas
President of the Senate*

February 18, 1972

Sir:

I am directed to inform the Senate that the House of Representatives has passed—

By Representatives Fortune and Hodes—

HB 866—A bill to be entitled An act relating to the bureau of vital statistics; amending §382.35(2), Florida Statutes, to prohibit release of information naming natural parents of adopted children; providing an effective date.

By Representative Spicola—

HB 639—A bill to be entitled An act relating to common carriers; adding subsection (4) to §323.06, Florida Statutes, to require all common carriers to have liability insurance with coverage of certain specified amounts; providing an effective date.

By Representative Featherstone—

HB 663—A bill to be entitled An act relating to the Florida cosmetology law; amending section 477.27(7), Florida Statutes, removing certain exemptions from the penalty provision; excepting cosmetology-oriented boutiques and salons from the penalty provision; providing an effective date.

By Representative Murphy—

HB 1137—A bill to be entitled An act relating to limitation of number of beverage licenses issued; amending section 561.20 (6), Florida Statutes, to provide for inserting words "or leased" concerning golf clubs municipally or privately owned; providing an effective date.

—and requests the concurrence of the Senate therein.

*Respectfully,
ALLEN MORRIS
Clerk, House of Representatives*

HB 866, contained in the above message, was read the first time by title and referred to the Committee on Judiciary—Civil B.

HB 639, contained in the above message, was read the first time by title and referred to the Committee on Commerce.

HB 663, contained in the above message, was read the first time by title and referred to the Committee on Commerce.

HB 1137, contained in the above message, was read the first time by title and referred to the Committee on Rules, Calendar, Privileged Business and Ethics.

*The Honorable Jerry Thomas
President of the Senate*

February 21, 1972

Sir:

I am directed to inform the Senate that the House of Representatives has passed as amended by the required two-thirds vote of the membership of the House—

By Representative Smith—

HB 2629—A bill to be entitled An act for the relief of Mrs. Selma Hirshaut; making an appropriation to compensate her for injuries sustained when a department of transportation bridge that she was crossing was negligently opened, causing her to fall; providing an effective date.

By Representative Shaw—

HB 2628—A bill to be entitled An act for the relief of Thomas J. Forsyth; providing compensation for losses suffered by Thomas J. Forsyth due to a fire in the house he occupied in

Union County as an employee of the division of corrections; providing an appropriation; providing an effective date.

—and requests the concurrence of the Senate therein.

*Respectfully,
ALLEN MORRIS
Clerk, House of Representatives*

House Bills 2629 and 2628, contained in the above message, were read the first time by title and referred to the Committee on Personnel, Retirement and Claims.

*The Honorable Jerry Thomas
President of the Senate*

February 18, 1972

Sir:

I am directed to inform the Senate that the House of Representatives has passed—

By Representative Birchfield—

HB 3080—A bill to be entitled An act relating to insurance; amending §625.0107, Florida Statutes, by adding subsection (2) to said section, to authorize an insurer to invest in student loans guaranteed as to principal by the United States Government; providing an effective date.

By the Committee on Business Regulation—

HB 3180—A bill to be entitled An act relating to alcoholic beverage law revision; amending and deleting provisions of chapters 561 and 562, Florida Statutes, affecting the administration and regulation of alcoholic beverages; allowing the manufacture of wine for home consumption; directing the division of beverage to collect and distribute state, county, and municipal license fees; prescribing regulations relating to licenses issued to hotels, motels, restaurants, golf courses, and clubs; deleting provisions authorizing automatic suspension of licenses; removing special zoning provisions; deleting obsolete tax stamp provisions; creating chapter 563, Florida Statutes, combining certain provisions relating to malt beverages; creating chapter 564, Florida Statutes, combining certain provisions relating to wine; creating chapter 565, Florida Statutes, combining certain provisions relating to liquor; providing an effective date.

—and requests the concurrence of the Senate therein.

*Respectfully,
ALLEN MORRIS
Clerk, House of Representatives*

HB 3080, contained in the above message, was read the first time by title and referred to the Committee on Commerce.

HB 3180, contained in the above message, was read the first time by title and referred to the Committee on Rules, Calendar, Privileged Business and Ethics.

*The Honorable Jerry Thomas
President of the Senate*

February 22, 1972

Sir:

I am directed to inform the Senate that the House of Representatives has passed as amended—

By the Committee on Finance & Taxation and Representative Spicola—

CS for HB 2640—A bill to be entitled An act relating to ad valorem taxes; creating new sections in chapter 197, Florida Statutes; providing for the duties of the county tax collector and the clerk of the circuit court with regard to the administration and collection of ad valorem taxes; providing a calendar for the collection and disposition of current and delinquent ad valorem taxes; providing for the sale of tax certificates on property; for non-payment of ad valorem taxes; providing for redemption of certificates; providing for issuance of tax

deeds; providing for disposition of funds; providing for the inventory of all lands acquired by the state under the operation of chapter 18296, Laws of Florida, 1937, the Murphy Act, and the disposition of such lands; providing an inventory of all land claimed by the state by virtue of the Murphy Act; providing for the repeal of all sections of chapter 197, including but not limited to 197.011, 197.015, 197.021, 197.025, 197.031, 197.035, 197.041, 197.045, 197.051, 197.055, 197.061, 197.065, 197.071, 197.075, 197.081, 197.083, 197.085, 197.091, 197.095, 197.100, 197.105, 197.110, 197.115, 197.120, 197.125, 197.130, 197.135, 197.140, 197.145, 197.150, 197.155, 197.160, 197.165, 197.170, 197.175, 197.180, 197.185, 197.190, 197.195, 197.200, 197.205, 197.215, 197.220, 197.225, 197.230, 197.235, 197.240, 197.245, 197.250, 197.255, 197.260, 197.265, 197.270, 197.275, 197.280, 197.285, 197.290, 197.295, 197.300, 197.305, 197.310, 197.315, 197.320, 197.325, 197.330, 197.335, 197.340, 197.345, 197.350, 197.355, 197.360, 197.365, 197.370, 197.375, 197.380, 197.385, 197.390, 197.395, 197.400, 197.405, 197.410, 197.415, 197.420, 197.425, 197.430, 197.435, 197.440, 197.445, 197.450, 197.455, 197.460, 197.465, 197.470, 197.475, 197.480, 197.485, 197.490, 197.495, 197.500, 197.505, 197.510, 197.515, 197.520, 197.525, 197.530, 197.535, 197.540, 197.545, 197.550, 197.555, 197.560, 197.565, 197.570, 197.575, 197.580, 197.585, 197.590, 197.595, 197.600, 197.605, 197.610, 197.615, 197.620, 197.625, 197.630, 197.640, 197.645, 197.650, 197.655, 197.660, 197.665, 197.670, 197.675, 197.680, 197.685, 197.690, 197.695, 197.700, 197.705, 197.710, 197.715, 197.720 and 197.725; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

CS for HB 2640, contained in the above message, was read the first time by title and referred to the Committee on Ways and Means.

On motion by Senator Poston, the rules were waived and the Committee on Transportation was granted permission to consider SCR 911 this day.

On motion by Senator Gunter, Rule 4.4 was waived and permission was granted to file for introduction and consideration, four bills by the Committee on Ways and Means relating to supervision of safety equipment inspection stations; providing moneys to the Department of Natural Resources, Division of Marine Resources for salaries and other operating expenses of the Marine Research Laboratory; relating to public documents to provide that public documents reflect a statement of cost data and purpose; relating to control and supervision of data centers.

Senator Brantley moved that the Senate reconsider the vote by which SB 458 passed the Senate on February 22.

SPECIAL ORDER

On motion by Senator Henderson, the rules were waived and SB 432 was made a special and continuing order of business for February 24.

SB 653—A bill to be entitled An act to amend Part II of Chapter 617, Florida Statutes, relating to Scholarship Plans, by amending subsections (9) and (10) of Chapter 71-127, Laws of Florida, 1971, by providing that "financial institution" shall include those in which a savings account is maintained for members and to provide that "trustee" may include any other trust company regulated by a state or federal agency; amending Section 617.50, Florida Statutes, by adding new subsection (12) to include and define "scholarship fund"; amending Section 617.52, Florida Statutes, to provide that plans may be approved by the department if the same permits a member to withdraw the account or terminate the plan and if the same meets the departmental regulations as to establishment of fund with trustee; amending Chapter 71-127, Laws of Florida, 1971, to provide that scholarship funds may be deposited with a trustee appointed by the corporation upon approval by the department and providing that the fund shall be used exclusively and solely

for scholarships, except for expenses incurred by the trustee in maintenance of the fund; amending Section 617.57, Florida Statutes, to provide that operating capitol shall not be deemed to be scholarship funds; amending Section 617.64, Florida Statutes, to amend procedures on selection of board of directors and to eliminate notice requirements; providing an effective date.

—was read the second time by title. On motion by Senator Barron, by two-thirds vote SB 653 was read the third time by title, passed and certified to the House. The vote was:

Yeas—36

Mr. President	Daniel	Johnson (34th)	Saunders
Arnold	Deeb	Karl	Saylor
Barron	Ducker	Lane	Scarborough
Beaufort	Graham	Lewis (33rd)	Stolzenburg
Bell	Gunter	Lewis (43rd)	Trask
Bishop	Haverfield	McClain	Ware
Brantley	Henderson	Plante	Weber
Broxson	Hollahan	Poston	Williams
Childers	Johnson (29th)	Reuter	Wilson

Nays—None

By unanimous consent Senators Weissenborn and Myers were recorded as voting yea.

RECONSIDERATION

The motion by Senator Johnson (34th) to reconsider the vote by which SB 542 passed on February 22 was taken up.

On motion by Senator Beaufort, debate was limited to two minutes per side.

The motion to reconsider was adopted by the following vote:

Yeas—24

Mr. President	Ducker	Knopke	Pope
Barron	Haverfield	Lewis (33rd)	Saylor
Beaufort	Henderson	Lewis (43rd)	Scarborough
Boyd	Johnson (29th)	McClain	Stolzenburg
Brantley	Johnson (34th)	Ott	Trask
de la Parte	Karl	Plante	Williams

Nays—20

Arnold	Childers	Gunter	Saunders
Barrow	Daniel	Horne	Ware
Bell	Deeb	Lane	Weber
Bishop	Gong	Myers	Weissenborn
Broxson	Graham	Reuter	Wilson

Senator Broxson moved that consideration of SB 542 be temporarily deferred.

Senator Williams moved as a substitute motion that SB 542 be referred to an appropriate committee.

The substitute motion was adopted and the bill was referred to the Committee on Vocational-Technical Education.

The President appointed Senators Wilson, Plante and Barrow as a committee to escort United States Congressman John Ashbrook of Ohio, candidate for the Republican nomination for President of the United States, to the rostrum where he addressed the Senate.

Senator Hollahan moved that the rules be waived and the Committee on Ways and Means be permitted to file for introduction and consideration, the appropriations bill in computer print-out form in appropriate backing. The motion was adopted.

The President appointed Senators Johnson (34th), Horne and Lewis (33rd) as a committee to escort to the Senate chamber, Miss Helen Hayes, first lady of the American theater; her son and daughter-in-law, James and Melody Patterson MacArthur,

television and movie personalities; and John D. MacArthur, brother-in-law of Miss Hayes; Dr. Stanley Marshall, Florida State University president; Dr. Richard Fallon, chairman of FSU Department of Theatre and executive director of the Asolo State Theatre. They were seated and welcomed by the President.

On motion by Senator Lewis (33rd), by two-thirds vote the following resolution was read the second time in full:

SR 1139—A resolution honoring Miss Helen Hayes.

WHEREAS, Miss Helen Hayes, the First Lady of the American Stage, was born on October 10, 1900, in Washington, D. C., and she first appeared at the age of five with the Columbia Players as Prince Charles in *THE ROYAL FAMILY* followed by other successes in *POLLYANNA*, *THE PRINCE CHAP*, *LITTLE LORD FAUNTLEROY* and *THE PRINCE AND THE PAUPER*, and not long after her graduation in 1917 from the Sacred Heart Academy in Washington she commenced to play adult roles, and

WHEREAS, some of Miss Hayes' brilliant stage successes were *TO THE LADIES*, *CAESAR AND CLEOPATRA*, *COQUETTE*, *MARY OF SCOTLAND*, *LADIES AND GENTLEMEN*, *VICTORIA REGINA*, *HAPPY BIRTHDAY*, *MRS. McTHING*, *TWELFTH NIGHT*, *GLASS MENAGERIE*, *FAREWELL TO ARMS*, and *THE SKIN OF OUR TEETH*, and

WHEREAS, Helen Hayes has acted in many motion pictures, receiving her first Academy Award in 1932 for her performance in *THE SIN OF MADELON CLAUDET* written for her by her late husband and noted playwright, Charles MacArthur, and her second Oscar for *AIRPORT*, and

WHEREAS, Miss Hayes has performed extensively in radio and television drama, receiving the Antoinette Perry Award and an Emmy, and was awarded the medal of the Drama League of New York for her performance in *VICTORIA REGINA*, and the Fulton Theatre in New York City was renamed the Helen Hayes Theatre in her honor in 1955, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida:

That we, the members of the Florida Senate, hereby honor Miss Helen Hayes, First Lady of the American Theatre, and are honored by Miss Hayes' presence on this great occasion.

BE IT FURTHER RESOLVED that a copy of this resolution, signed by the President of the Senate with the seal of the Senate affixed, be presented to Miss Helen Hayes as a tangible token of the sentiments expressed herein and as a lasting symbol of the appreciation and respect of the Senate of the State of Florida.

On motion by Senator Johnson (29th), SR 1139 was adopted. The vote was:

Yeas—47

Mr. President	Deeb	Johnson (34th)	Reuter
Arnold	de la Parte	Karl	Saunders
Barron	Ducker	Knopke	Saylor
Barrow	Fincher	Lane	Scarborough
Beaufort	Gong	Lewis (33rd)	Stolzenburg
Bell	Graham	Lewis (43rd)	Trask
Bishop	Gunter	McClain	Ware
Boyd	Haverfield	Myers	Weber
Brantley	Henderson	Ott	Weissenborn
Broxson	Hollahan	Plante	Williams
Childers	Horne	Pope	Wilson
Daniel	Johnson (29th)	Poston	

Nays—None

On motion by Senator Lewis (33rd), by two-thirds vote the following resolution was read the second time in full:

SR 1138—A resolution honoring Charles MacArthur, American playwright, and recognizing the genius of his works.

WHEREAS, Charles MacArthur, noted American playwright, who was born in Scranton, Pennsylvania in 1895 and educated

at the Woodson Memorial Academy in Nyack, New York, began his brilliant writing career as a newspaperman, first for the *CHICAGO HERALD-EXAMINER*, later the *CHICAGO TRIBUNE*, and finally the *NEW YORK AMERICAN*, and

WHEREAS, Charles MacArthur, in 1926, in partnership with Edward Sheldon, wrote his first successful play, *LULU BELLE*, which was quickly followed in 1928 by *SALVATION* which he wrote with Sidney Howard, and in that same year he joined with his Chicago newspaper croney, Ben Hecht, in writing the highly successful play, *THE FRONT PAGE*, and, teamed with Hecht, he wrote *THE TWENTIETH CENTURY* in 1933, *JUMBO* in 1935, *LADIES AND GENTLEMEN* in 1939 for his wife, Miss Helen Hayes, in which he directed her and she rendered what Ward Morehouse described as "... one of the top performances of her brilliant career ...," *FUN TO BE FREE* in 1941, an American patriotic pageant, and *SWAN SONG* in 1946, and

WHEREAS, Charles MacArthur also wrote on his own, his most significant being the play *JOHNNY ON THE SPOT* in 1941 and the film scripts of *WUTHERING HEIGHTS* for which he was nominated for an Academy Award in 1940 and *RASPUTIN AND THE EMPRESS*, the only motion picture to ever star all three of the illustrious Barrymores, and for his beloved wife, Miss Helen Hayes, the acknowledged "First Lady of the American Stage," he wrote the Academy Award winning film, *THE SIN OF MADELON CLAUDET*, for which Miss Hayes received her first Academy Award as Best Actress in 1931, and he is also remembered for his fine patriotic articles such as *WAR BUGS*, a gentle but humorous and warm description of World War I, and

WHEREAS, during World War II, Charles MacArthur served brilliantly as a war correspondent contributing many fine stories from the front which stirred the hearts of the country, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida:

That we, the members of the Florida Senate, honor the late Charles MacArthur and we hereby pay tribute to Charles MacArthur for his everlasting contributions to his fellowmen.

BE IT FURTHER RESOLVED that a copy of this resolution, signed by the President of the Senate with the seal of the Senate affixed, be presented to the family of Charles MacArthur, Miss Helen Hayes, his wife, James MacArthur, his son, and John D. MacArthur, his brother, as a tangible token of the sentiments expressed herein and as a lasting symbol of the gratitude and respect of the Senate of the State of Florida.

On motion by Senator Lewis (33rd), SR 1138 was adopted. The vote was:

Yeas—47

Mr. President	Deeb	Johnson (34th)	Reuter
Arnold	de la Parte	Karl	Saunders
Barron	Ducker	Knopke	Saylor
Barrow	Fincher	Lane	Scarborough
Beaufort	Gong	Lewis (33rd)	Stolzenburg
Bell	Graham	Lewis (43rd)	Trask
Bishop	Gunter	McClain	Ware
Boyd	Haverfield	Myers	Weber
Brantley	Henderson	Ott	Weissenborn
Broxson	Hollahan	Plante	Williams
Childers	Horne	Pope	Wilson
Daniel	Johnson (29th)	Poston	

Nays—None

CO-INTRODUCERS

By permission, Senators Arnold, Barron, Barrow, Beaufort, Bell, Bishop, Boyd, Brantley, Broxson, Childers, Daniel, Deeb, de la Parte, Ducker, Fincher, Gong, Graham, Gunter, Haverfield, Henderson, Hollahan, Horne, Johnson (29th), Johnson (34th), Karl, Knopke, Lane, Lewis (33rd), Lewis (43rd), McClain, Myers, Ott, Plante, Pope, Poston, Reuter, Saunders, Saylor, Scarborough, Stolzenburg, Trask, Ware, Weber, Weissenborn, Williams and Wilson were recorded as co-introducers of Senate Resolutions 1138 and 1139.

The President appointed Senators Johnson (29th), Horne and Lewis (33rd) as a committee to escort Miss Hayes to the rostrum where she was presented a plaque by the President. Following an expression of thanks to the Senate by Miss Hayes, the honored guests were escorted from the chamber by the committee previously appointed.

On motion by Senator Hollahan, the rules were waived and the Committee on Rules, Calendar, Privileged Business and Ethics was granted permission to consider SB 857 this day.

On motion by Senator de la Parte, SB 857 was withdrawn from the Committee on Ways and Means by two-thirds vote.

On motion by Senator de la Parte, SB 595 was withdrawn from the Committee on Ways and Means by two-thirds vote and placed on the calendar.

Senator Knopke presiding.

SB 1144—A bill to be entitled An act relating to drug abuse; amending §404.02(5) and (9) and §404.07, Florida Statutes, to include cannabis as contraband and as one of the drugs for which possession or obtaining is a crime; providing an effective date.

—was read the second time by title. On motion by Senator Wilson, by two-thirds vote SB 1144 was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

Mr. President	de la Parte	Johnson (29th)	Sayler
Arnold	Ducker	Johnson (34th)	Scarborough
Barrow	Fincher	Knopke	Stolzenburg
Beaufort	Gong	Lewis (33rd)	Ware
Boyd	Graham	Lewis (43rd)	Weber
Brantley	Gunter	McClain	Weissenborn
Broxson	Haverfield	Myers	Williams
Childers	Henderson	Poston	Wilson
Deeb	Hollahan	Reuter	

Nays—None

By unanimous consent Senators Daniel, Barron, Plante and Trask were recorded as voting yea.

Co-introducer

By permission Senator Poston was recorded as a co-introducer of SB 1144.

The President presiding.

SB 187 was taken up, together with:

By the Committee on Natural Resources and Conservation—

CS for SB 187—A bill to be entitled An act relating to the state wilderness system, amending §7 of chapter 70-355, Laws of Florida, appearing as §258.23, Florida Statutes, 1970 Supplement; amending §16 of chapter 70-355, Laws of Florida, appearing as §258.32, Florida Statutes, 1970 Supplement; providing for leases of land by the state for inclusion in wilderness system; providing for method of tax assessment; providing terms of leases; providing exception for withdrawal of lands; providing an effective date.

—which was read the first time by title and SB 187 was laid on the table.

On motions by Senator Knopke, by two-thirds vote CS for SB 187 was read the second time by title and by two-thirds vote was read the third time by title, passed and certified to the House. The vote was:

Yeas—33

Mr. President	Barrow	Brantley	de la Parte
Arnold	Beaufort	Childers	Ducker

Fincher	Johnson (29th)	Plante	Weber
Gong	Karl	Pope	Weissenborn
Graham	Knopke	Poston	Williams
Gunter	Lewis (33rd)	Reuter	Wilson
Haverfield	Lewis (43rd)	Sayler	
Hollahan	McClain	Stolzenburg	
Horne	Myers	Ware	

Nays—None

By unanimous consent Senators Barron, Trask, Deeb, Scarborough, Boyd, Daniel and Bell were recorded as voting yea.

SB 329 was taken up, together with:

By the Committee on Governmental Efficiency—

CS for SB 329—A bill to be entitled An act relating to transportation planners; providing that a county, or a county in co-operation with contiguous counties, may employ either a full-time or a part-time transportation county planner; providing for a maximum compensation for each; providing for payment by the county or counties of said compensation; providing an effective date.

—which was read the first time by title and SB 329 was laid on the table.

On motion by Senator Poston, by two-thirds vote CS for SB 329 was read the second time by title.

On motion by Senator Sayler the following amendment was adopted:

Amendment 1—On page 1, line 24, strike “or any other available funds, a maximum salary of”

On motion by Senator Sayler the Senate reconsidered the vote by which Amendment 1 was adopted. Senator Sayler withdrew the amendment.

Senators Ducker and Sayler offered the following amendment which was adopted on motion by Senator Sayler:

Amendment 2—On page 1, line 24, strike “or any other available funds, a maximum annual salary” and insert: after “(\$20,000.00)”: for salaries and expenses

Senators Sayler and Ducker offered the following amendment which was adopted on motion by Senator Sayler:

Amendment 3—On page 1, line 9 strike “providing for a maximum compensation for each;”

Senators Sayler and Ducker offered the following amendment which was adopted on motion by Senator Sayler:

Amendment 4—On page 2, strike “or any other available funds a maximum annual salary not to exceed \$10,000” and insert: up to \$10,000 for salaries, and expenses

Senators Sayler and Ducker offered the following amendment which was adopted on motion by Senator Sayler:

Amendment 5—On page 1, line 11 strike “said compensation” and insert: salaries and expenses;

On motion by Senator Poston, by two-thirds vote CS for SB 329 as amended was read the third time by title, passed and ordered engrossed. The vote was:

Yeas—22

Brantley	Haverfield	Lewis (33rd)	Scarborough
Childers	Henderson	McClain	Stolzenburg
Ducker	Hollahan	Myers	Ware
Gong	Horne	Pope	Weissenborn
Graham	Johnson (34th)	Poston	
Gunter	Knopke	Sayler	

Nays—8

Mr. President	Daniel	de la Parte	Trask
Boyd	Deeb	Johnson (29th)	Williams

SB 555 was taken up and on motion by Senator Saunders by unanimous consent—

HB 480—A bill to be entitled An act relating to the department of education, division of universities; amending sections 245.07, 245.09, 245.14 and 245.16, Florida Statutes, relating to the disposition of dead bodies; providing a penalty; providing an effective date.

—a similar measure was substituted therefor and read the second time by title.

On motion by Senator Saunders the following amendment was adopted:

Amendment 1—On page 1, line 12 strike everything after the enacting clause and insert:

Section 1. Section 245.07, Florida Statutes, is amended to read:

245.07 Bodies to be kept ~~90 days~~ 48 hours before use; unfit, excess number of bodies, procedure.—

All bodies received by the division of universities shall be retained in receiving vaults for a period of not less than ~~ninety days~~ forty eight hours before allowing its use for medical science; if at any time more bodies are made available to the division than can be used for medical science under its jurisdiction, or a body shall be deemed by the division to be unfit for anatomical purposes, the division may notify, in writing, the county commissioners of the county where such person died, who shall direct some person to take charge of such body and cause it to be buried in accordance with the already existing rules, laws and practices for disposing of such unclaimed bodies within the confines of the said county.

Section 2. Section 245.09, Florida Statutes, is amended to read:

245.09 Bodies may be claimed after delivery to division.—Any dead human body which has been delivered to the division of universities may be claimed by any friend or any representative of a fraternal society of which the deceased was a member, or a representative of any charitable or religious organization. Upon receipt of such claim, the body *or remains* shall be surrendered to the claimant by the division after the payment to the division for the expenses incurred in obtaining and handling such body *or remains*.

Section 3. Section 245.14, Florida statutes, is amended to read:

245.14 Bonds; institutions receiving bodies.—No university, school, college, teaching hospital or association shall be allowed or permitted to receive any such body or bodies as described in this chapter until a bond, approved as to form by the department of legal affairs shall have been given to the division of universities which bond shall be in the penal sum of one thousand dollars conditioned that all such bodies received by such university, school, college, teaching hospital or association shall be used for no other purpose than the promotion of medical science ~~within this state~~.

Section 4. Section 245.16, Florida Statutes, is amended to read:

245.16 Selling, buying, shipping bodies outside of state regulated; penalty.—Any person who shall sell or buy any body or parts of bodies as described in this chapter or shall transmit or convey or cause to be transmitted or conveyed such body or parts of bodies to any place outside this state ~~except as provided in this chapter a recognized medical or dental school shall be guilty of a misdemeanor of the first degree, punishable as provided in sections 775.082 and 775.083; shall upon conviction be liable to a fine not to exceed one thousand dollars and imprisonment in the county jail in the county wherein such offense was committed for a period not to exceed one year, or both such fine and imprisonment; however, nothing in this chapter shall be construed as prohibiting the division~~

of universities from transporting human specimens outside of the state for the temporary use at scientific meetings or exhibits educational, scientific or other therapeutic purposes.

Section 5. This act shall take effect July 1, 1972.

On motion by Senator Saunders, by two-thirds vote HB 480 as amended was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

Mr. President	Deeb	Horne	Myers
Arnold	de la Parte	Johnson (29th)	Plante
Barron	Ducker	Johnson (34th)	Reuter
Barrow	Gong	Karl	Saunders
Beaufort	Graham	Knopke	Trask
Bell	Gunter	Lane	Weissenborn
Boyd	Haverfield	Lewis (33rd)	Williams
Childers	Henderson	Lewis (43rd)	Wilson
Daniel	Hollahan	McClain	

Nays—4

Pope	Scarborough	Stolzenburg	Ware
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SB 555 was laid on the table.

SB 374—A bill to be entitled An act relating to the department of transportation; designating a portion of State Road 85A in Okaloosa County as "Lewis Turner Road"; authorizing the department of transportation to affix markers; providing an effective date.

—was read the second time by title.

The Committee on Transportation offered the following amendment which was adopted on motion by Senator Poston:

Amendment 1—On page 1, line 19 strike "Lewis Turner Road". and insert: Lewis E. Turner Boulevard.

The Committee on Transportation offered the following amendment which was adopted on motion by Senator Poston:

Amendment 2—On page 1, line 7 of the title, strike "Lewis Turner Road" and insert: Lewis E. Turner Boulevard.

On motion by Senator Poston, by two-thirds vote SB 374 as amended was read the third time by title, passed and ordered engrossed. The vote was:

Yeas—39

Mr. President	Ducker	Knopke	Sayler
Arnold	Fincher	Lane	Scarborough
Barron	Gong	Lewis (33rd)	Stolzenburg
Barrow	Graham	Lewis (43rd)	Trask
Beaufort	Gunter	McClain	Ware
Bell	Haverfield	Myers	Weber
Brantley	Hollahan	Plante	Weissenborn
Childers	Horne	Pope	Williams
Deeb	Johnson (29th)	Poston	Wilson
de la Parte	Karl	Reuter	

Nays—None

By unanimous consent Senator Daniel was recorded as voting yea.

SB 366—A bill to be entitled An act relating to the department of transportation; amending §338.21, Florida Statutes, relating to the elimination of railway-highway crossing hazards; providing for the department to have regulatory authority over all public railroad crossings; providing for the issuance of permits to open or close such crossings; providing that the department shall have authority to regulate speed limits of railroad traffic; providing for notice and public hearings; providing for the repeal of statutes in conflict; providing an effective date.

—was read the second time by title.

The Committee on Transportation offered the following amendment which was adopted on motion by Senator Poston:

Amendment 1—On page 1, line 29, strike entire line and insert: *notice, public hearing in the area affected.*—

The Committee on Transportation offered the following amendment which was adopted on motion by Senator Poston:

Amendment 2—On page 2, line 23 strike entire line and insert: *state, including the authority to*

On motion by Senator Brantley the following amendment was adopted:

Amendment 3—On page 2, line 13, between the words "signal" and "the" insert: *and ringing bell*

On motion by Senator Brantley the following amendment was adopted:

Amendment 4—On page 2, lines 14 and 15 strike "and the railway company,"

On motion by Senator Brantley the following amendment was adopted:

Amendment 5—On page 2, line 14 strike "mutually"

Senators Sayler and Beaufort offered the following amendment which was moved by Senator Sayler and failed:

Amendment 6—On page 3, line 4, strike "shall" and insert: *may*

On motion by Senator Poston, by two-thirds vote SB 366 as amended was read the third time by title.

On motion by Senator Ware the following amendment was adopted by two-thirds vote:

Amendment 7—On page 2, line 17 strike everything after the comma through line 20

Senator Poston moved that SB 366, together with all pending amendments be referred to an appropriate committee. The motion was adopted and SB 366 with pending amendments was referred to the Committee on Judiciary—Civil A.

SB 414 was taken up, together with:

By the Committee on Transportation—

CS for SB 414—A bill to be entitled An act relating to transportation of school children; providing that all occupants of a school bus shall be seated while the bus is in motion; providing that the driver be responsible for enforcing this act and for informing the school principal of violations; providing for reporting of violations to state commissioner of education; providing an effective date.

—which was read the first time by title and SB 414 was laid on the table.

On motion by Senator Beaufort, by two-thirds vote CS for SB 414 was read the second time by title.

On motion by Senator Plante the following amendment was adopted:

Amendment 1—On page 1, strike all of lines 18—26 and insert: Section 1. All occupants of a school bus shall be seated in seats as provided at all times when the bus is in motion. The district school superintendent shall have such authority as may be necessary to enforce this requirement.

On motion by Senator Plante the following amendment was adopted:

Amendment 2—On page 1, line 8 strike "drivers" and insert: *superintendent*

On motion by Senator Daniel the following amendment was adopted:

Amendment 3—On page 1, line 19, following "shall be seated in" insert: *permanently affixed*

Senator Scarborough moved that CS for SB 414 as amended be referred to an appropriate committee.

On motion by Senator Beaufort, the rules were waived and further consideration of CS for SB 414 as amended was deferred and retained on second reading without dissent.

On motion by Senator Hollahan, the Senate proceeded to the consideration of—

EXECUTIVE BUSINESS

By direction of the President, the Secretary read the following communication and Executive Order:

REGISTERED—RETURN RECEIPT REQUESTED

Mr. Murray Meyerson
900 West Avenue
Miami Beach, Florida 33139

February 16, 1972

Dear Mr. Meyerson:

Pursuant to the provisions of Chapter 69-277, Laws of Florida, we are sending you by registered mail, Amended Order of Suspension dated February 15, 1972.

With kind regards, I remain

Cordially
RICHARD (DICK) STONE
Secretary of State

By (Mrs.) Dorothy W. Glisson
Director
Division of Elections

EXECUTIVE ORDER NUMBER 72-9

Amended Order of Suspension

WHEREAS, Murray S. Meyerson is presently serving as Constable, District 5, Dade County, Florida, and

WHEREAS, an investigation was made concerning complaints received from citizens of Dade County, Florida, relating to the conduct of Murray S. Meyerson, and

WHEREAS, on the 28th day of September, 1971, the Dade County Grand Jury indicted Murray S. Meyerson on certain criminal charges, to-wit: Grand Larceny, Conspiracy to Commit Grand Larceny, and Compounding a Felony, and

WHEREAS, on the 16th day of September, 1971, Murray S. Meyerson made a request by telephone call to the Office of the Governor that he (Murray S. Meyerson) be forthwith suspended from his public office, and

WHEREAS, based upon the investigation conducted by the Office of the Governor and in view of the request made by Murray S. Meyerson, I find that it is in the best interest of the citizens of the State of Florida that Murray S. Meyerson be immediately suspended from the Office which he now holds;

NOW, THEREFORE, I, REUBIN O'D. ASKEW, Governor of the State of Florida, pursuant to the Constitution and laws of the State of Florida, do hereby find, determine and, for the purpose of Section 112.41, Florida Statutes, allege and specify:

A. That Murray S. Meyerson is, and at all times material hereto, was a "county officer" within the meaning of Section 7, Article IV, Florida Constitution of 1968, to-wit: Constable, District 5, Dade County, Florida.

B. That beginning on the 14th day of January, 1971 and continuing until the 17th day of September, 1971, in Dade County, Florida, Murray Meyerson and Sumner Spellman did agree, conspire and combine or confederate to commit grand larceny, and in that the said Murray Meyerson and Sumner Spellman did

unlawfully and feloniously take, steal and carry away from the lawful possession of William Poelns certain property, to-wit: One Thousand Dollars (\$1,000.00), good and lawful money of the United States of America, in violation of Section 833.04, Florida Statutes.

C. That beginning on the 14th day of January, 1971, and continuing until the 17th day of September, 1971, in Dade County, Florida, Murray Meyerson and Sumner Spellman did unlawfully and feloniously take, steal and carry away from the lawful possession of William Poelns certain personal property, to-wit: One Thousand Dollars (\$1,000.00) good and lawful money of the United States of America, with intent to appropriate the said property to their own use in violation of Section 811.021, Florida Statutes.

D. That beginning on the 14th day of January, 1971, and continuing until on or about the 17th day of September, 1971, in Dade County, Florida, Murray Meyerson and Sumner Spellman did conspire for pecuniary gain to commit the offense of obstruction of justice in that on the dates and at the places hereinabove alleged, while knowing that a criminal proceeding, to-wit: State of Florida vs. Richard Poelns, Case No. 71-843, Criminal Court of Record of Dade County, Florida, was pending or about to be instituted, did agree, conspire and combine or confederate to endeavor or attempt to induce or otherwise cause a witness in said proceeding to-wit: Sumner Spellman, to testify or inform falsely or to withhold any testimony (either his own or that of another), information, document or thing.

E. That beginning on the 14th day of January, 1971, and continuing on or about the 17th day of September, 1971, in Dade County, Florida, Murray Meyerson did attempt to commit the crime of obstruction of justice and in the course of such attempt, did induce or procure or attempt to induce or procure another, to-wit: Sumner Spellman, to obstruct justice by the said Sumner Spellman's withholding or secreting or altering evidence or testimony or by procuring or inducing the said Sumner Spellman to cause or attempt to cause some other person or persons having knowledge material and relevant to matters then pending in the criminal court of record in and for Dade County, Florida, to avoid, refrain from or omit giving testimony in respect thereof, in exchange for some valuable consideration to be paid to the said Sumner Spellman by the said Murray Meyerson.

F. That the aforesaid facts constitute the "offenses" of malfeasance, misfeasance, neglect of duty or commission of a felony as used in Section 7(a) of Article IV, Florida Constitution.

G. That the interests of the citizens of Dade County, Florida and the State of Florida can best be served by the immediate suspension of Murray S. Meyerson as Constable, District 5, Dade County, Florida.

BEING FULLY ADVISED in the premises and in accordance with the Constitution and laws of the State of Florida, the following Executive Order is hereby promulgated, effective at 5 o'clock p.m. on October 4, 1971.

1. That Murray S. Meyerson be, and he is hereby suspended, as and from the public office which he now holds, to-wit: Constable, District 5, Dade County, Florida.

2. That Murray S. Meyerson be, and he is hereby prohibited from performing any official act, duty or function of any public office, from receiving any pay or allowances, and from being entitled to any of the emoluments or privileges of public office during the period of this suspension, which period shall be from the effective date of this order until further Executive Order or as provided by law.

3. That Executive Order of the Governor No. 71-47 dated October 4, 1971, is superseded by this amended order.



IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Florida to be affixed at Tallahassee, the Capitol, this 15th day of February, A. D. 1972.

REUBIN O'D. ASKEW
Governor

ATTEST:
RICHARD (DICK) STONE
Secretary of State

—which was referred to the Select Committee on Executive Suspensions.

On motion by Senator Horne, the nomination by the Board of Business Regulation of Winston W. Wynne as Director, Division of Beverage, Department of Business Regulation and the report thereon by the Committee on Rules, Calendar, Privileged Business and Ethics, were recalled from the Secretary of the Senate by two-thirds vote and referred to the Committee on Governmental Efficiency.

On motion by Senator Hollahan, it was agreed by two-thirds vote that when the Senate adjourns it adjourn to reconvene at 2:15 p.m., this day.

The hour of adjournment having arrived, a point of order was called and the Senate recessed at 12:02 p.m. to reconvene at 2:15 p.m.

AFTERNOON SESSION

The Senate was called to order by the President at 2:15 p.m. A quorum present—39:

Mr. President	Deeb	Horne	Saunders
Arnold	de la Parte	Johnson (29th)	Sayler
Barron	Ducker	Johnson (34th)	Scarborough
Barrow	Fincher	Knopke	Stolzenburg
Bell	Gong	Lane	Trask
Bishop	Graham	Lewis (33rd)	Ware
Boyd	Gunter	McClain	Weber
Brantley	Haverfield	Myers	Weissenborn
Childers	Henderson	Pope	Williams
Daniel	Hollahan	Poston	

Excused: Senators Lewis (43rd), Plante, Wilson, Ott, Reuter, Beaufort and Karl, members of the Select Committee on Executive Suspensions, for the purpose of conducting a hearing.

On motion by Senator Hollahan, the Senate proceeded to the consideration of—

EXECUTIVE BUSINESS

By direction of the President, the Secretary read the following communication and Executive Order:

February 21, 1972

REGISTERED—RETURN RECEIPT REQUESTED

Honorable Laura C. Jones
Member of the Broward County
School Board
614 Northeast Sixth Avenue
Fort Lauderdale, Florida 33304

Dear Mrs. Jones:

Pursuant to the provisions of Chapter 69-277, Laws of Florida, we are sending you by registered mail, Order of Suspension dated February 21, 1972.

With kind regards, I remain

Cordially,
RICHARD (DICK) STONE
Secretary of State

By (Mrs.) Dorothy W. Glisson
Director
Division of Elections

EXECUTIVE ORDER NUMBER 72-12

Executive Order of Suspension

WHEREAS, by executive order Number 71-34, the Honorable Stephen L. Boyles, State Attorney of the Seventh Judicial Circuit of Florida, was assigned to the Seventeenth Judicial Circuit of Florida (Broward County) to discharge the duties of the Honorable Philip S. Shailer, State Attorney of said circuit as said duties related to the investigation of certain complaints against the Broward County School Board, and

WHEREAS, said Stephen L. Boyles has concluded such investigation and submitted certain facts developed therein to the Grand Jurors of the State of Florida in and for Broward County, and

WHEREAS, on the 4th day of February, 1972, the said Grand Jurors returned a true bill against, and did thus indict, Laura Jones, Wilson C. Atkinson and Richard G. Streich, for violation of Section 286.011, Florida Statutes, popularly known as the Florida "Government in the Sunshine" law, and

WHEREAS, Laura (Mrs. Roy) Jones is presently serving as a member of the District School Board, Broward County, Florida, and

WHEREAS, based upon the report of said assigned State Attorney, sworn testimony, and findings of the Grand Jury, it appears that it is in the best interest of the citizens of the State of Florida that Laura Jones be immediately suspended from the public office which she now holds, upon the constitutional grounds hereinafter set forth;

NOW, THEREFORE, I, REUBIN O'D. ASKEW, Governor of the State of Florida, pursuant to the Constitution and laws of the State of Florida, do hereby find, determine and, for the purposes of Section 112.41, Florida Statutes, allege and specify:

(A) That Laura Jones is presently serving as a Member, District School Board, Broward County, Florida.

(B) That Laura Jones is, and at all times material hereto, was, a "county officer" within the meaning of Section 7, Article IV, Florida Constitution, 1968, to-wit: Member, District School Board, Broward County, Florida.

(C) That on January 23, 1970, in Broward County, State of Florida, said Laura Jones and Richard G. Streich, who were on that date members of the District School Board, Broward County, did unlawfully and knowingly attend a meeting of the District School Board of Broward County, Florida, which meeting was not open to the public at all times and at which official acts of the Board were taken or were to be taken.

(D) That on January 23, 1970, the said Laura Jones and other members of the School Board were under and subject to an injunction issued by the Circuit Court in and for Broward County, Florida, in the case of *Doran v. Board of Public Instruction of Broward County*, wherein the Board of Public Instruction of Broward County and Laura Jones as a member thereof, were enjoined as follows:

"The defendant, the BOARD OF PUBLIC INSTRUCTION OF BROWARD COUNTY, a body corporate, be and the same is hereby enjoined from the violation of the aforesaid statute, including, without limitation, the holdings of meetings or conference sessions at which a quorum is present, wherein all or part of the public is excluded, at which official actions are taken or are to be taken; or at which the said board receives reports from its superintendent or other personnel of the BOARD OF PUBLIC INSTRUCTION OF BROWARD COUNTY, or at which are held any discussions on current, or foreseeable so, matters, not privileged, pertaining to the duties and responsibilities of the BOARD OF PUBLIC INSTRUCTION OF BROWARD COUNTY."

(E) That the aforesaid facts constitute the offenses of malfeasance, misfeasance, or neglect of duty as such offenses are used in Section 7(a) of Article IV, Florida Constitution.

(F) That the interest of the residents of Broward County, Florida and the citizens of the State of Florida can best be served by the immediate suspension of Laura Jones as a member of the District School Board, Broward County, Florida.

BEING FULLY ADVISED in the premises, and in accordance with the Constitution and laws of the State of Florida, the following executive order is hereby promulgated, effective at 5 o'clock p.m. on February 21, 1972.

1. That Laura Jones be, and she is hereby, suspended as and from the public office which she now holds, to-wit: Member, District School Board, Broward County, Florida.

2. That Laura Jones be, and she is hereby, prohibited from performing any official act, duty or function of any public office, from receiving any pay or allowances, and from being entitled to any of the emoluments or privileges of public office during the period of this suspension, which period shall be from the effective date of this executive order, or as provided by law.



IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Florida to be affixed at Tallahassee, the Capitol, this 21st day of February, A. D. 1972.

REUBIN O'D. ASKEW
Governor

ATTEST:
RICHARD (DICK) STONE
Secretary of State

—which was referred to the Select Committee on Executive Suspensions.

Senator Hollahan moved that the rules be waived and the reports of the Select Committee on Executive Suspensions in the matter of Arliss R. Greene, Sr. and O. D. Huff, Jr. and the proceedings of the Senate in relation thereto be received and held in open session. Which was agreed to and so ordered.

By direction of the President, the Secretary read the following reports:

Senator Jerry Thomas
President, The Florida Senate
The Capitol

February 17, 1972

Dear President Thomas:

This report is for the information of the Senate concerning the Executive Order of Suspension directed to Mr. Arliss R. Greene, Sr., Constable, District 11, St. Johns County.

The Committee received a copy of the verdict presented by a jury in St. Johns County finding the defendant guilty of the felony of accepting a bribe as charged in the indictment.

Article VI, Section 4 of the Florida Constitution and Section 112.01 Florida Statutes disqualify a convicted felon from holding office.

In view of the above, no Senate action is necessary.

Respectfully submitted,

FREDERICK B. KARL,

Chairman
C. W. BEAUFORT
GERALD A. LEWIS
T. TRUETT OTT

KENNETH PLANTE
C. S. REUTER
HAROLD S. WILSON

Select Committee on
Executive Suspensions

On motion by Senator Hollahan, the foregoing report of the Select Committee was adopted.

Senator Jerry Thomas
President, The Florida Senate
The Capitol

February 17, 1972

Dear President Thomas:

This report is for the information of the Senate concerning the Executive Order of Suspension directed to Mr. O. D. Huff, Jr., Member, Florida Citrus Commission (Department of Citrus).

It has been brought to the attention of the Select Committee on Executive Suspensions that an Executive Order dated September 20, 1971, has been entered by the Governor withdrawing the Order of Suspension and reinstating Mr. Huff.

In view of the above, no Senate action is necessary.

Respectfully submitted,

FREDERICK B. KARL
Chairman
C. W. BEAUFORT
GERALD A. LEWIS
T. TRUETT OTT

KENNETH PLANTE
C. S. REUTER
HAROLD S. WILSON

Select Committee on
Executive Suspensions

On motion by Senator Hollahan, the foregoing report of the Select Committee was adopted.

By direction of the President, the Secretary read the following communications and certificate:

Honorable Elmer O. Friday, Jr.
Secretary of the Senate
Capitol

February 15, 1972

Dear Senator Friday:

Attached hereto is a certificate listing the commission prepared today which is subject to Senate Confirmation.

With kind regards, I remain

Cordially,
RICHARD (DICK) STONE
Secretary of State

By *Dorothy W. Glisson*
Director
Division of Elections

Pursuant to the Provisions of Section 112.071 (1), (b), Florida Statutes, we do hereby certify that the commission which is subject to Confirmation by the Senate has been prepared for the following:

NAME	OFFICE	FOR TERM ENDING
Arthur E. Roberts Groveland	Member, Board of Trustees, Lake- Sumter Community College	May 31, 1974



GIVEN under my hand and Great Seal
of the State of Florida at Tallahassee,
the Capital this Fifteenth day of
February, A. D., 1972

RICHARD (DICK) STONE
Secretary of State

[Referred to the Committee on Universities and Community
Colleges]

Honorable Jerry Thomas
President, The Florida Senate
The Capitol

February 21, 1972

Dear Mr. President:

This is to advise that I have made the following appointment as a Pilot Commissioner for the Port of Jacksonville on February 21, 1972:

Dr. Wayland T. Coppedge, Jr.
Post Office Box 544
Jacksonville, Florida 32201
succeeding Mr. Kenneth A.
Merrill to a term ending
February 19, 1975.

It would be appreciated if the Senate would take up the confirmation of this appointment during the current session of the Florida Legislature.

Sincerely,
REUBIN ASKEW
Governor

[Referred to the Committee on Natural Resources and Conservation]

The President, on advice of the Committee on Rules, Calendar, Privileged Business and Ethics, referred each appointment to the committee shown.

On motion by Senator Hollahan, the rules were waived and the Senate took up in open Session the following Reports:

Senator Jerry Thomas
President, The Florida Senate
The Capitol

February 11, 1972

Dear President Thomas:

Your Select Committee on Executive Suspensions to whom was referred for inquiry and recommendation the following appointments subject to confirmation by the Senate:

NAME	OFFICE	FOR TERM ENDING
John D. Bailey St. Augustine	Member, Historic St. Augustine Pre- servation Board, State of Florida Department of State	August 31, 1975
Lindley M. Camp Pensacola	Member, Historic Pensacola Preserva- tion Board, State of Florida Department of State	September 13, 1974
William G. Champlin Pensacola	Member, Civil Service Board, Escambia County	February 9, 1973
Anthony Ciano Pensacola	Member, Civil Service Board, Escambia County	February 15, 1975
Horace W. Olcott Pensacola	Member, Historic Pensacola Preservation Board, State of Florida Department of State	September 13, 1975
Mrs. Philip B. Phillips Pensacola	Member, Historic Pensacola Preservation Board of Trustees, State of Florida Department of State	January 22, 1975
Mrs. William H. Randolph, III Warrington	Member, Historic Pensacola Preservation Board, State of Florida Department of State	September 13, 1975
Elizabeth M. Towers Jacksonville	Member, Historic St. Augustine Preser- vation Board, State of Florida Department of State	August 24, 1975
Mrs. Cornelius Vanderbilt Whitney New York, N. Y.	Member, Historic St. Augustine Preservation Board, State of Florida Department of State	August 31, 1974

After inquiry, the Committee recommends that the Senate advise and consent, and approve the above listed appointments made by the Governor.

Respectfully submitted,

FREDERICK B. KARL, *Chairman*
C. W. BEAUFORT
GERALD A. LEWIS

T. TRUETT OTT
KENNETH PLANTE
C. S. REUTER
HAROLD S. WILSON

On motions by Senator Hollahan, the report of the committee was adopted, the rules were waived and the Senate in open session advised and consented to and approved the aforesaid appointments made by the Governor, as contained and set forth in the foregoing report. The vote was:

Yeas—25

Mr. President	Daniel	Johnson (34th)	Stolzenburg
Arnold	Deeb	Lane	Ware
Barrow	Ducker	Lewis (33rd)	Weber
Bell	Haverfield	Lewis (43rd)	Williams
Bishop	Henderson	Saunders	
Brantley	Hollahan	Saylor	
Childers	Horne	Scarborough	

Nays—None

By unanimous consent Senators Trask, Weissenborn and Gong were recorded as voting yea.

Senator Jerry Thomas
 President, The Florida Senate
 The Capitol

February 16, 1972

Dear Mr. President:

Your Standing Committee on Rules, Calendar, Privileged Business and Ethics to whom was referred for inquiry and recommendation the following appointments subject to confirmation by the Senate:

NAME	OFFICE	FOR TERM ENDING
W. H. Adams, III Jacksonville	Commissioner for the Promotion of Uniformity of Legislation	June 5, 1975
Charles Tom Henderson Tallahassee	Commissioner for the Promotion of Uniformity of Legislation	June 5, 1975
Joshua M. Morse Tallahassee	Commissioner for the Promotion of Uniformity of Legislation	June 5, 1975

—having met, and after full inquiry, hereby tenders as the recommendation of this Committee that the Senate do advise and consent, and approve the aforesaid appointments made by the Governor.

Respectfully Submitted,

GEORGE L. HOLLAHAN, Jr., *Chairman*
WILBUR H. BOYD
JOHN R. BROXSON
C. WELBORN DANIEL
MALLORY E. HORNE
DEMPSEY J. BARRON
LOUIS DE LA PARTE, Jr.
ROBERT M. HAVERFIELD

FREDERICK B. KARL
DAVID C. LANE
HAROLD S. WILSON
BILL GUNTER
WARREN S. HENDERSON
RAY C. KNOPKE
RALPH R. POSTON
BETH JOHNSON
KENNETH PLANTE

On motions by Senator Hollahan, the report of the committee was adopted, the rules were waived and the Senate in open session advised and consented to and approved the aforesaid appointments made by the Governor, as contained and set forth in the foregoing report. The vote was:

Yeas—25

Mr. President	Barrow	Bishop	Childers
Arnold	Bell	Brantley	Daniel

Deeb	Horne	Saunders	Weber
Ducker	Johnson (34th)	Saylor	Williams
Haverfield	Lane	Scarborough	
Henderson	Lewis (33rd)	Stolzenburg	
Hollahan	Lewis (43rd)	Ware	

Nays—None

By unanimous consent Senators Trask, Weissenborn and Gong were recorded as voting yea.

HOUSE BILLS ON SECOND READING

CS for HB's 1041, 1042, and 1044—A bill to be entitled An act relating to mobile homes; providing grounds for which a mobile home park owner or operator may evict a mobile home owner; providing for posting of regulations; providing for additional eviction proceedings in leases; authorizing tenant to raise affirmative defenses; providing that no mobile home park owner or operator shall require a resident of the park to purchase certain equipment from the park, or charge an additional fee for certain interior installations and improvements in mobile homes; providing that mobile home park owners or operators shall disclose all fees, charges, assessments, rules and regulations to tenants; providing that undisclosed fees, charges, and assessments shall not be collectible; providing that mobile home park owners or operators shall not unreasonably restrict the sale of mobile homes within the park, require that removal of a mobile home solely on the basis of such sale, or exact a fee for such sale unless the park owner or operator acted as agent for the mobile home owner in the sale pursuant to a written contract; providing an effective date.

—was read the second time by title.

The Committee on Commerce offered the following amendment which was adopted on motion by Senator Brantley:

Amendment 1—On page 2, line 25, after "mobile home park." insert: However, the park operator may determine by rule or regulation the style or quality of such equipment to be purchased by the tenant from the vendor of the tenant's choosing.

The Committee on Commerce offered the following amendment which was adopted on motion by Senator Brantley:

Amendment 2—On page 2, line 9, after the word "vacate," strike the remainder of the paragraph and insert: A copy of all rules and regulations shall be delivered by the park owner or operator to the mobile home owner prior to his signing the lease or rent agreement. A copy of the rules and regulations also shall be posted in the recreation hall, if any, or some other conspicuous place in the park.

On motion by Senator Lewis (43rd), by two-thirds vote CS for HB's 1041, 1042, and 1044 as amended was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

Mr. President	Fincher	Lane	Scarborough
Arnold	Graham	Lewis (33rd)	Stolzenburg
Bell	Gunter	Lewis (43rd)	Trask
Boyd	Haverfield	McClain	Ware
Brantley	Henderson	Myers	Weber
Childers	Hollahan	Pope	Weissenborn
Deeb	Johnson (29th)	Poston	Williams
de la Parte	Johnson (34th)	Saunders	Wilson
Ducker	Knopke	Saylor	

Nays—4

Barrow	Bishop	Daniel	Horne
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By unanimous consent, Senator Horne changed his vote from nay to yea; Senators Gong, Daniel and Barron were recorded as voting yea.

SB 123 was laid on the table.

CS for HB's 79 and 417—A bill to be entitled An act relating to taxation of motor vehicles; amending section 319.23, Florida Statutes, by adding new subsection (6) to provide conditions precedent to issuance of title; providing an effective date.

—was read the second time by title. On motion by Senator Poston, by two-thirds vote CS for HB's 79 and 417 was read the third time by title, passed and certified to the House.

The vote was:

Yeas—33

Arnold	Ducker	Knopke	Scarborough
Barrow	Graham	Lane	Stolzenburg
Bell	Gunter	Lewis (33rd)	Trask
Bishop	Haverfield	Lewis (43rd)	Ware
Boyd	Henderson	McClain	Weber
Childers	Hollahan	Pope	Williams
Daniel	Horne	Poston	
Deeb	Johnson (29th)	Saunders	
de la Parte	Johnson (34th)	Sayler	

Nays—None

By unanimous consent Senators Weissenborn, Gong and Myers were recorded as voting yea.

HB 1467—A bill to be entitled An act relating to transportation; adding subsection (3) to §1 of chapter 70-239, Laws of Florida, appearing as §334.021, Florida Statutes, 1970 Supplement; requiring all expressway authorities, transportation, mass transit and similar authorities to submit design and construction plans to the department of transportation prior to construction; requiring that certain other planned transportation facilities be approved by the department prior to construction; providing an effective date.

—was read the second time by title.

On motion by Senator Scarborough the following amendment was adopted:

Amendment 1—On page 2, lines 7—8 insert new sub-section (4): However, if no determination is made by the Department within ninety (90) days after receiving the plans, they shall become effective.

On motion by Senator Poston, by two-thirds vote HB 1467 as amended was read the third time by title, passed and certified to the House. The vote was:

Yeas—32

Mr. President	Deeb	Johnson (29th)	Sayler
Arnold	de la Parte	Johnson (34th)	Scarborough
Barron	Ducker	Lane	Stolzenburg
Beaufort	Fincher	McClain	Trask
Bell	Gong	Myers	Ware
Bishop	Graham	Pope	Weissenborn
Childers	Henderson	Poston	Williams
Daniel	Hollahan	Saunders	Wilson

Nays—1

Brantley

By unanimous consent Senators Boyd and Lewis (33rd) were recorded as voting yea.

CS for HB 1983-SF—A bill to be entitled An act relating to public defenders; amending subsection (2) of section 27.56, Florida Statutes, to provide that the public defender may contract with a collection agency for the collection of any debt or lien imposed by section 27.56, Florida Statutes; providing an effective date.

—was read the second time by title.

The Committee on Judiciary—Criminal offered the following amendment which was adopted on motion by Senator Brantley:

Amendment 1—Line 9, strike the period (.) and insert: , *provided however that no fee shall be paid to any collection agency by reason of foreclosure proceedings against real property or from the proceeds from the sale or other disposition of real property.*

On motion by Senator Brantley, by two-thirds vote CS for HB 1983-SF as amended was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

Mr. President	Daniel	Horne	Saunders
Arnold	Deeb	Johnson (29th)	Sayler
Barron	de la Parte	Knopke	Scarborough
Barrow	Ducker	Lane	Stolzenburg
Bell	Graham	Lewis (33rd)	Trask
Bishop	Gunter	Lewis (43rd)	Weber
Boyd	Haverfield	McClain	Weissenborn
Brantley	Henderson	Pope	Williams
Childers	Hollahan	Poston	

Nays—2

Johnson (34th) Ware

By unanimous consent Senators Fincher, Gong and Myers were recorded as voting yea.

HB 1043—A bill to be entitled An act relating to landlords and tenants; amending §83.261(2), Florida Statutes, as amended by chapter 70-360, Laws of Florida, which relates to the duty of landlords with respect to security deposits; providing that said section be applicable to mobile home parks; providing an effective date.

—was read the second time by title. On motion by Senator Lewis (43rd), by two-thirds vote HB 1043 was read the third time by title, passed and certified to the House. The vote was:

Yeas—36

Mr. President	de la Parte	Johnson (34th)	Sayler
Arnold	Ducker	Knopke	Scarborough
Barron	Graham	Lane	Stolzenburg
Bell	Gunter	Lewis (33rd)	Trask
Boyd	Haverfield	Lewis (43rd)	Ware
Brantley	Henderson	McClain	Weber
Childers	Hollahan	Pope	Weissenborn
Daniel	Horne	Poston	Williams
Deeb	Johnson (29th)	Saunders	Wilson

Nays—2

Barrow Bishop

By unanimous consent Senators Myers and Gong were recorded as voting yea.

HB 1361—A bill to be entitled An act relating to wild trees, shrubs and plants; amending section 865.06(1)(b)4., Florida Statutes, to prohibit the taking of sabal palmetto (cabbage palm) without permission of owner or custodian; providing an effective date.

—was read the second time by title.

The Committee on Judiciary—Criminal offered the following amendment which was adopted on motion by Senator Henderson:

Amendment 1—On page 1, lines 23 and 24 strike "immediately upon becoming a law." and insert: October 1, 1972.

On motion by Senator Henderson, by two-thirds vote HB 1361 as amended was read the third time by title, passed and certified to the House. The vote was:

Yeas—36

Mr. President	Daniel	Hollahan	Saunders
Arnold	Deeb	Horne	Sayler
Barron	de la Parte	Johnson (34th)	Scarborough
Barrow	Ducker	Lane	Stolzenburg
Bell	Fincher	Lewis (33rd)	Trask
Bishop	Graham	Lewis (43rd)	Ware
Boyd	Gunter	McClain	Weber
Brantley	Haverfield	Pope	Weissenborn
Childers	Henderson	Poston	Williams

Nays—None

By unanimous consent Senators Myers, Gong and Johnson (29th) were recorded as voting yea.

HB 1163—A bill to be entitled An act relating to navigation markers; creating §371.524, Florida Statutes, providing that it is unlawful to damage or moor to a lawfully placed navigation marker or buoy; providing exception; providing an effective date.

—was read the second time by title. On motion by Senator Poston, by two-thirds vote HB 1163 was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

Mr. President	Ducker	Johnson (34th)	Saylor
Arnold	Fincher	Knopke	Scarborough
Beaufort	Gong	Lane	Stolzenburg
Bell	Graham	Lewis (33rd)	Trask
Bishop	Haverfield	McClain	Ware
Boyd	Henderson	Myers	Weissenborn
Brantley	Hollahan	Pope	Williams
Childers	Horne	Poston	Wilson
Deeb	Johnson (29th)	Saunders	

Nays—1

Barron

CS for HB 2606—A bill to be entitled An act relating to motor vehicle exhaust systems amending §316.272(1), Florida Statutes, as created by chapter 71-135, Laws of Florida, to provide for the establishment by the department of highway safety and motor vehicles of a maximum number of decibels of sound which may be emitted from motor vehicle exhaust systems; adding subsection (5) to §325.19, Florida Statutes, as amended by chapter 70-351, Laws of Florida, to provide that motor vehicles exceeding such maximum shall fail to obtain an inspection sticker; amending section 403.061(13), Florida Statutes, to provide for cooperation with the department of pollution control; providing an effective date.

—was read the second time by title.

The Committee on Natural Resources and Conservation offered the following amendment which was adopted on motion by Senator Knopke:

Amendment 1—On page 2, lines 6—9, strike "department of highway safety and motor vehicles in cooperation with the department of pollution control as provided in section 403.061 (13), Florida Statutes." and insert: department of pollution control as provided in section 403.061 (13), Florida Statutes, in cooperation with the department of highway safety and motor vehicles.

The Committee on Natural Resources and Conservation offered the following amendment which was adopted on motion by Senator Knopke:

Amendment 2—On page 1, lines 9—21 strike all of lines 9 through 21 and insert: pollution control of a maximum number of decibels of sound which may be emitted from motor vehicle exhaust systems; adding subsection (5) to §325.19, Florida Statutes, as amended by chapter 70-351, Laws of Florida, to provide that motor vehicles exceeding such maximum shall fail to obtain an inspection sticker; amending section 403.061(13), Florida Statutes, to provide for cooperation with the department of highway safety and motor vehicles; providing an effective date.

On motion by Senator Bell, by two-thirds vote CS for HB 2606 as amended was read the third time by title, passed and certified to the House. The vote was:

Yeas—37

Mr. President	Ducker	Lane	Stolzenburg
Arnold	Fincher	Lewis (33rd)	Trask
Barrow	Gong	Lewis (43rd)	Ware
Beaufort	Graham	McClain	Weber
Bell	Haverfield	Myers	Weissenborn
Boyd	Henderson	Pope	Williams
Brantley	Hollahan	Poston	Wilson
Childers	Johnson (29th)	Saunders	
Daniel	Johnson (34th)	Saylor	
Deeb	Knopke	Scarborough	

Nays—2

Barron

Bishop

By unanimous consent Senator Gunter was recorded as voting yea.

At the request of the President the Committee on Executive Suspensions previously excused returned to the Chamber.

The President appointed Senators de la Parte, Horne and Graham as a committee to escort Allen Morris, Clerk of the House of Representatives into the Senate Chamber.

On motion by Senator Horne, by two-thirds vote the Senate reverted to—

RESOLUTIONS

SR 1137—A resolution commending Allen Morris and designating the date of February 23, 1972, as Allen Morris Day.

WHEREAS, the Honorable Allen Morris has rendered outstanding service to the state as Clerk of the House of Representatives of the State of Florida since July 1, 1966, and

WHEREAS, Mr. Morris served from 1947 to 1966 as Consultant on Rules and Procedure to the House of Representatives and has become an acknowledged expert on rules of the House, and

WHEREAS, Mr. Morris was among the founding members of the Judicial Council, was a member of the State Library and Historical Commission, was President of the Legislative Correspondents' Association in 1947 and was awarded the Florida State Junior Chamber of Commerce Good Citizenship Plaque in 1949, and

WHEREAS, Mr. Morris won acclaim as a fine journalist when as an Associated Press staff member, his story on Key West ship salvaging was cited nationally as one of the best newspaper stories of the year and when his essay on the LIFE OF JEFFERSON DAVIS received the Miami United Daughters of the Confederacy Award, and

WHEREAS, Mr. Morris is noted for many publications which he either compiled, authored or co-authored relating to Florida, its history and government and among which THE FLORIDA HANDBOOK is recognized as a basic reference book and OUR FLORIDA GOVERNMENT is a state-adopted textbook for the vital education of our youth for useful service in our state and nation, and

WHEREAS, Mr. Morris originated in 1945 an awards program for legislators in recognition of meritorious public service, which program was so successful in inspiring legislators to become more accomplished public servants and statesmen that it has become a tradition now sponsored by the Florida Times-Union and Jacksonville Journal, and

WHEREAS, Mr. Morris's love of the great State of Florida, his devotion to its governmental processes, and his ability to detect and record its statistical facts of importance has resulted in a compilation of historical data for posterity, and

WHEREAS, Mr. Morris has rendered distinguished service to his community, to all three branches of government and on numerous occasions to the Senate, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida:

That the twenty-third day of February 1972 be designated as Allen Morris Day in deep appreciation for all that Mr. Morris has done for the State of Florida, and that the Florida Senate does hereby proclaim its desire to recognize and show its gratitude to the Honorable Allen Morris on this special day.

BE IT FURTHER RESOLVED that a copy of this resolution signed by the President of the Senate, with the seal of the Senate attached, be presented to Allen Morris as a tangible token of the lasting respect and appreciation of the members and former members of the Senate and of the people of the State of Florida.

—was read the second time in full. On motion by Senator Horne, SR 1137 was adopted. The vote was:

Yeas—46

Mr. President	de la Parte	Karl	Saunders
Arnold	Ducker	Knopke	Saylor
Barron	Fincher	Lane	Scarborough
Barrow	Gong	Lewis (33rd)	Stolzenburg
Beaufort	Graham	Lewis (43rd)	Trask
Bell	Gunter	McClain	Ware
Bishop	Haverfield	Myers	Weber
Boyd	Henderson	Ott	Weissenborn
Brantley	Hollahan	Plante	Williams
Childers	Horne	Pope	Wilson
Daniel	Johnson (29th)	Poston	
Deeb	Johnson (34th)	Reuter	

Nays—None

Co-Introducers

By permission Senators Arnold, Barron, Barrow, Beaufort, Bell, Bishop, Boyd, Brantley, Broxson, Childers, Daniel, Deeb, de la Parte, Ducker, Fincher, Gong, Graham, Gunter, Haverfield, Henderson, Hollahan, Horne, Johnson (29th), Johnson (34th), Karl, Knopke, Lane, Lewis (33rd), Lewis (43rd), McClain, Myers, Ott, Plante, Pope, Poston, Reuter, Saunders, Saylor, Scarborough, Stolzenburg, Trask, Ware, Weber, Weissenborn, Williams and Wilson were recorded as co-introducers of SR 1137.

The President introduced the family of Allen Morris to the members of the Senate and requested former recipients of Allen Morris awards to escort Mr. Morris to the rostrum. Senators Barron, Karl, de la Parte, Barrow, Pope, Horne and Hollahan accompanied Mr. Morris to the rostrum where the President presented to him on behalf of the Senate, a copy of SR 1137.

The Select Committee on Executive Suspensions was excused to resume its hearing.

The Senate resumed—

HOUSE BILLS ON SECOND READING

Consideration of HB 1823 was deferred.

HB 3271—A bill to be entitled An act relating to elections; changes in precinct boundaries; amending §98.031(1), Florida Statutes, to authorize the alteration of precincts by boards of county commissioners whenever necessary; providing an effective date.

—was read the second time by title. On motion by Senator Horne, by two-thirds vote HB 3271 was read the third time by title, passed and certified to the House. The vote was:

Yeas—33

Mr. President	Deeb	Knopke	Stolzenburg
Arnold	Ducker	Lane	Trask
Barron	Gong	Lewis (33rd)	Ware
Beaufort	Graham	McClain	Weissenborn
Bell	Haverfield	Pope	Williams
Bishop	Henderson	Poston	Wilson
Boyd	Hollahan	Saunders	
Brantley	Horne	Saylor	
Childers	Johnson (34th)	Scarborough	

Nays—None

By unanimous consent Senators Myers, Daniel and Johnson (29th) were recorded as voting yea.

HB 104—A bill to be entitled An act relating to regulation of boats; amending Section 371.021 (1), Florida Statutes to include barges as vessels; amending Section 371.503, Florida Statutes, relating to interference with navigation to include anchored vessels as navigational hazards; amending Section 371.67, Florida Statutes, relating to enforcement to authorize

all authorized enforcement officers to order removal of vessels; providing an effective date.

—was read the second time by title.

The Committee on Transportation offered the following amendment which was moved by Senator Poston and failed:

Amendment 1—On page 2, line 9, strike “or adjacent to”

On motion by Senator Ware, by two-thirds vote HB 104 was read the third time by title, passed and certified to the House. The vote was:

Yeas—28

Mr. President	Gong	Knopke	Scarborough
Bell	Graham	Lane	Stolzenburg
Bishop	Haverfield	Lewis (33rd)	Trask
Brantley	Henderson	Pope	Ware
Daniel	Hollahan	Poston	Weissenborn
Deeb	Horne	Saunders	Williams
Ducker	Johnson (34th)	Saylor	Wilson

Nays—3

Arnold	Barron	Childers
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By unanimous consent Senators McClain, Johnson (29th), Boyd and Myers were recorded as voting yea.

HB 120—A bill to be entitled An act relating to wrongful death action; amending chapter 768, Florida Statutes, by adding sections 768.16, 768.17, 768.18, 768.19, 768.20, 768.21, 768.22, 768.23, 768.24, 768.25, 768.26, and 768.27; providing for a right of action on behalf of the survivors and the estate by the personal representative of a decedent whose death is caused by the wrongful act, negligence, default, or breach of contract or warranty of any person; repealing sections 768.01, 768.02, and 768.03, Florida Statutes; providing an effective date.

—was read the second time by title.

The Committee on Judiciary—Civil A offered the following amendment which was moved by Senator Barron:

On page 2, line 2 insert the following: It is also the legislative intent that when a personal injury to the decedent results in his death, no action for the personal injury shall survive.

On motion by Senator Barrow, further consideration of HB 120 with pending amendment was deferred.

HB 2446—A bill to be entitled An act relating to salt water fisheries; amending §370.16(16)(d) and (f), Florida Statutes; providing that oysters less than the prescribed legal size may be placed on the culling board of a vessel; reducing the allowable percentage of small oysters includable in an oyster cargo or lot from twenty-five percent (25%) to fifteen percent (15%); adding paragraph (g) to §370.16(16), Florida Statutes; prohibiting the sale of oysters less than the prescribed legal size; providing an effective date.

—was read the second time by title.

The Committee on Natural Resources and Conservation offered the following amendment which was adopted on motion by Senator Knopke:

Amendment 1—In Section 1, line 2, page 2, after “oysters.” (end of sentence) add the following: Oysters shall only be bagged or placed in containers at the establishment of a wholesale dealer in the county of the oysters’ origin, provided, however, that when a county line divides a body of water, the oysters may be transported for bagging to the establishment of a wholesale dealer in any of the counties.

The Committee on Natural Resources and Conservation offered the following amendment which was adopted on motion by Senator Knopke:

Amendment 2—In Section 1, line 19, page 2, strike: “up the” and the rest of the paragraph which includes all of lines 20, 21 and 22 and add: to determine the percentage of undersized oysters, one sample bushel to be taken at random from the cargo of oysters and if a total of undersized oysters

from the one bushel shall total more than fifteen percent of the amount of oysters contained in the one bushel, it shall constitute a violation of this section, any other law to the contrary not withstanding.

On motion by Senator Knopke, by two-thirds vote HB 2446 as amended was read the third time by title.

Senators Boyd and Barrow offered the following amendment which was adopted by two-thirds vote on motion by Senator Boyd:

Amendment 3—In Section 1, line 2, page 2 after "oysters" and before "shall" insert: harvested by anyone for the sale thereof.

HB 2446 as amended passed and was certified to the House. The vote was:

Yeas—32

Mr. President	Daniel	Johnson (34th)	Sayler
Arnold	Deeb	Knopke	Scarborough
Barrow	Ducker	Lane	Stolzenburg
Bell	Gong	Lewis (33rd)	Trask
Bishop	Graham	McClain	Ware
Boyd	Henderson	Pope	Weber
Brantley	Hollahan	Poston	Weissenborn
Childers	Johnson (29th)	Saunders	Williams

Nays—None

By unanimous consent Senator Myers was recorded as voting yea.

CS for HB 3020—A bill to be entitled An act relating to pollution control; amending §403.061(26), Florida Statutes, as created by chapter 71-35, Laws of Florida, to provide that regulations governing detergents apply statewide and that the state shall preempt jurisdiction; providing an effective date.

—was read the second time by title.

The Committee on Natural Resources and Conservation offered the following amendment which was moved by Senator Knopke:

Amendment 1—On page 2, line 8 after "detergents." insert: which are less stringent than the state's. Regulations, ordinances, or special acts adopted by a county or municipality governing detergents shall be subject to approval by the Board of the Department of Pollution Control.

Further consideration of CS for HB 3020 with pending amendment was deferred.

HB 1974—A bill to be entitled An act relating to insurance; amending section 627.0117 (1), Florida Statutes, to provide that the face amount of an insurance contract shall be payable notwithstanding a violation of any other provision of the Florida insurance code which limits the amount of insurance that may be provided; providing an effective date.

—was read the second time by title. On motion by Senator Brantley, by two-thirds vote HB 1974 was read the third time by title, passed and certified to the House. The vote was:

Yeas—27

Mr. President	Ducker	Lewis (33rd)	Stolzenburg
Arnold	Graham	McClain	Trask
Barron	Henderson	Pope	Ware
Bell	Johnson (29th)	Poston	Weber
Brantley	Johnson (34th)	Saunders	Weissenborn
Childers	Knopke	Sayler	Williams
Deeb	Lane	Scarborough	

Nays—None

By unanimous consent, Senators Daniel, Boyd, Myers and Haverfield were recorded as voting yea.

HB 1662—A bill to be entitled An act relating to insurance risk apportionment plans; amending §627.351(6), Florida Statutes, 1970 Supplement, as created by §1 of chapter 70-234, Laws of Florida, to provide that the risk apportionment plan for windstorm insurance coverage shall include coverage for mobile homes, trailers and semitrailers; providing an effective date.

—was read the second time by title. On motion by Senator Brantley, by two-thirds vote HB 1662 was read the third time by title, passed and certified to the House. The vote was:

Yeas—31

Mr. President	Ducker	Lane	Stolzenburg
Arnold	Gong	Lewis (33rd)	Trask
Barron	Graham	McClain	Ware
Bell	Henderson	Pope	Weber
Boyd	Hollahan	Poston	Weissenborn
Brantley	Johnson (29th)	Saunders	Williams
Childers	Johnson (34th)	Sayler	Wilson
Deeb	Knopke	Scarborough	

Nays—None

By unanimous consent Senators Myers, Daniel and Haverfield were recorded as voting yea.

HB 564—A bill to be entitled An act relating to cancellation or nonrenewal of casualty insurance contracts; amending §627.0852(9)(c),(d) and (11), Florida Statutes; providing that insurance contracts reinstated pursuant to an administrative hearing shall take effect from the date of cancellation and continue in effect thereafter; providing for assessment of costs and attorneys' fees; excluding certain persons from exemption from suit when furnishing the department information concerning the cancellation or nonrenewal of an insurance contract; providing an effective date.

—was read the second time by title. On motion by Senator Brantley, by two-thirds vote HB 564 was read the third time by title, passed and certified to the House. The vote was:

Yeas—28

Mr. President	Deeb	Knopke	Sayler
Arnold	Ducker	Lane	Scarborough
Barron	Graham	Lewis (33rd)	Stolzenburg
Bell	Henderson	McClain	Ware
Boyd	Hollahan	Pope	Weber
Brantley	Johnson (29th)	Poston	Williams
Childers	Johnson (34th)	Saunders	Wilson

Nays—None

By unanimous consent Senators Daniel, Myers and Trask were recorded as voting yea.

CS for HB 534—A bill to be entitled An act relating to licensing of life insurance agents; amending section 626.171(3), Florida Statutes, to provide that an application for a life agent's license must state whether it is for a primary or additional license; amending section 626.331(3), Florida Statutes, to provide that a life agent shall have a separate license, known as a primary license upon his initial qualification as a life agent and shall have a separate additional license for each subsequent insurer represented; amending section 626.341, Florida Statutes, to provide that life agents may make application for additional licenses while a primary license is in effect; amending section 626.391(4), Florida Statutes, to provide that if the primary license of a life agent is terminated for any reason, that all subsequent or additional licenses shall terminate sixty (60) days thereafter; amending section 626.431(2), Florida Statutes, to provide that no examination shall be required for the renewal or continuance of any additional or subsequent license of a life agent if the expiration or termination of same was caused by the termination, expiration, or non-renewal of a primary license; amending section 626.471, Florida Statutes, by renumbering subsections (2), (3), and (4) as subsections (3), (4), and (5) and adding new subsection (2) to provide that upon termination by an insurer or a life agent of a primary license, the department shall terminate all other licenses provided that no other primary license has been issued; amending section 626.511(1), Florida Statutes, to provide that any insurer terminating the appointment and license of an agent shall file

with the department a statement of the reasons therefor unless a license is terminated solely by reason of termination of a primary license; amending section 626.0210(2)(e), Florida Statutes, and adding a new paragraph (f) to said subsection, to provide that an application for a life agent's license must state whether it is for a primary or additional license; providing an effective date.

—was read the second time by title.

The Committee on Commerce offered the following amendment which was adopted on motion by Senator Brantley:

Amendment 1—On page 7, line 29 following words "July 1," strike "1972" and insert: 1973

On motion by Senator Brantley, by two-thirds vote CS for HB 534 as amended was read the third time by title, passed and certified to the House. The vote was:

Yeas—30

Mr. President	Ducker	Knopke	Scarborough
Arnold	Fincher	Lane	Stolzenburg
Bell	Gong	Lewis (33rd)	Ware
Boyd	Graham	McClain	Weissenborn
Brantley	Haverfield	Pope	Williams
Childers	Henderson	Poston	Wilson
Daniel	Hollahan	Saunders	
Deeb	Johnson (34th)	Sayler	

Nays—None

By unanimous consent Senators Barron and Myers were recorded as voting yea.

HB 1288—A bill to be entitled An act relating to contracts with instructional staff; amending §231.36(7), Florida Statutes, by providing for continuing contract as classroom teacher for teacher elected to school board; providing an effective date.

—was read the second time by title. On motion by Senator Graham, by two-thirds vote HB 1288 was read the third time by title, passed and certified to the House. The vote was:

Yeas—27

Mr. President	Gong	Knopke	Scarborough
Arnold	Graham	Lewis (33rd)	Stolzenburg
Brantley	Haverfield	McClain	Ware
Childers	Henderson	Pope	Weber
Deeb	Hollahan	Poston	Weissenborn
de la Parte	Johnson (29th)	Saunders	Williams
Ducker	Johnson (34th)	Sayler	

Nays—None

By unanimous consent Senators Barrow, Fincher, Myers, Barron, Daniel and Boyd were recorded as voting yea.

HB 339—A bill to be entitled An act relating to the department of highway safety and motor vehicles; providing that all uniformed officers of the division of the Florida highway patrol of the department of highway safety and motor vehicles shall retire upon attaining age sixty-two (62); providing definitions; providing an effective date.

—was read the second time by title.

The Committee on Personnel, Retirement and Claims offered the following amendment which was adopted on motion by Senator Scarborough:

Amendment 1—On page 1, lines 16 through 31, sections 1, 2 and 3, strike all after enacting clause and insert:

Section 1. Section 321.04, Florida Statutes is amended by adding subsection (4) to read:

321.04 Personnel of the highway patrol; rank classifications; probationary status of new patrol officers; subsistence; special assignments.—

(4) No patrol officer of the Florida highway patrol shall serve beyond the age of sixty-two (62), any provision of the laws of this state to the contrary, notwithstanding.

Section 2. This act shall take effect January 1, 1973.

The Committee on Personnel, Retirement and Claims offered the following amendment which was adopted on motion by Senator Scarborough:

Amendment 2—On page 1, lines 5 through 11, title, strike "providing that all uniformed officers of the division of the Florida highway patrol of the department of highway safety and motor vehicles shall retire upon attaining age sixty-two (62); providing definitions; providing an effective date." and insert: amending section 321.04, Florida Statutes, by adding a new subsection (4); providing that no patrol officer of the Florida highway patrol shall serve beyond the age of sixty-two (62); providing an effective date.

On motion by Senator Scarborough, by two-thirds vote HB 339 as amended was read the third time by title, passed and certified to the House. The vote was:

Yeas—26

Arnold	Ducker	Knopke	Saunders
Barrow	Fincher	Lane	Scarborough
Bell	Graham	Lewis (33rd)	Ware
Brantley	Gunter	McClain	Williams
Childers	Haverfield	Myers	Wilson
Deeb	Hollahan	Pope	
de la Parte	Johnson (34th)	Poston	

Nays—4

Mr. President	Boyd	Sayler	Stolzenburg
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By unanimous consent Senators Barron and Daniel were recorded as voting yea.

HB 2934—A bill to be entitled An act relating to the department of health and rehabilitative services, division of corrections, repealing Section 945.05, Florida Statutes, and amending Section 945.06, Florida Statutes, to abolish the advisory council on adult corrections, and providing an effective date.

—was read the second time by title. On motion by Senator Hollahan, by two-thirds vote HB 2934 was read the third time by title, passed and certified to the House. The vote was:

Yeas—27

Mr. President	de la Parte	Johnson (34th)	Saunders
Arnold	Ducker	Knopke	Sayler
Bell	Fincher	Lane	Scarborough
Boyd	Graham	Lewis (33rd)	Stolzenburg
Brantley	Haverfield	McClain	Ware
Childers	Henderson	Pope	Williams
Deeb	Hollahan	Poston	

Nays—None

By unanimous consent Senators Myers, Weissenborn, Gunter, Daniel and Barron were recorded as voting yea.

SECOND READING

SB 337—A bill to be entitled An act relating to the department of transportation; amending §339.09(4), Florida Statutes; providing for the department to comply with the federal "Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970"; providing that the department shall have the authority to do what is necessary, including the use of the power of eminent domain, to carry out its responsibilities under said act; providing for the department to expend such gasoline funds, to the extent required by federal law to be eligible for federal aid for such projects; providing an effective date.

—was read the second time by title. On motion by Senator Gunter, by two-thirds vote SB 337 was read the third time by title, passed and certified to the House. The vote was:

Yeas—27

Mr. President	Brantley	Gong	Henderson
Arnold	Childers	Graham	Hollahan
Bell	Daniel	Gunter	Horne
Boyd	Ducker	Haverfield	Johnson (34th)

Lewis (33rd)	Poston	Scarborough	Ware
McClain	Saunders	Stolzenburg	Williams
Pope	Sayler	Trask	

Nays—None

By unanimous consent Senators Myers and Johnson (29th) were recorded as voting yea.

SB 367—A bill to be entitled An act relating to transportation, highway classification; repealing §335.04(3)(d), Florida Statutes, as re-enacted by chapter 71-355, Laws of Florida, to remove the existing requirement that any roads heretofore maintained at any time as a primary road shall be maintained, constructed and reconstructed as a part of the primary road system; repealing laws in conflict; providing an effective date.

—was read the second time by title. On motion by Senator Poston, by two-thirds vote SB 367 was read the third time by title, and failed to pass. The vote was:

Yeas—12

Bell	Graham	Horne	Poston
Ducker	Haverfield	Johnson (34th)	Stolzenburg
Gong	Hollahan	Lewis (33rd)	Weissenborn

Nays—15

Mr. President	Brantley	McClain	Trask
Arnold	Childers	Pope	Ware
Barron	Daniel	Sayler	Williams
Boyd	Fincher	Scarborough	

By unanimous consent Senator Johnson (29th) was recorded as voting nay.

Senator Scarborough moved that the Senate reconsider the vote by which SB 367 failed to pass.

SB 529—A bill to be entitled An act relating to maps and plats; amending §177.041 to require a certificate of apparent title as a prerequisite to the recordation of a plat; providing an effective date.

—was read the second time by title.

The Committee on Judiciary—Civil A offered the following amendment which was adopted on motion by Senator Poston:

Amendment 1—On page 1, line 17 strike ~~or a~~ and insert: , or a

On motion by Senator Poston, by two-thirds vote SB 529 as amended was read the third time by title, passed and ordered engrossed. The vote was:

Yeas—28

Mr. President	Ducker	Johnson (34th)	Scarborough
Arnold	Fincher	Lewis (33rd)	Stolzenburg
Bell	Gong	McClain	Trask
Boyd	Graham	Pope	Ware
Brantley	Haverfield	Poston	Weber
Childers	Henderson	Saunders	Weissenborn
Daniel	Horne	Sayler	Williams

Nays—None

By unanimous consent Senators Myers and Johnson (29th) were recorded as voting yea.

Pursant to Rule 4.14, Senator Brantley gave notice of intention to move to take up SB 571 out of order.

SB 566—A bill to be entitled An act relating to the regulation of traffic; amending §316.131(3), Florida Statutes, as created by chapter 71-135, Laws of Florida, to provide an extension of time for compliance; providing an effective date.

—was read the second time by title.

The Committee on Transportation offered the following amendment which was adopted on motion by Senator Poston:

Amendment 1—On page 1, line 23, after the word "devices" insert: other than traffic control signals

On motion by Senator Poston, by two-thirds vote SB 566 as amended was read the third time by title, passed and ordered engrossed. The vote was:

Yeas—27

Mr. President	Fincher	Johnson (34th)	Scarborough
Arnold	Gong	Knopke	Stolzenburg
Bell	Graham	Lane	Trask
Brantley	Haverfield	Lewis (33rd)	Ware
Childers	Henderson	McClain	Weissenborn
Daniel	Hollahan	Poston	Williams
Ducker	Horne	Sayler	

Nays—2

Boyd Pope

By unanimous consent Senators Myers, Johnson (29th) and Barron were recorded as voting yea.

HB 452—A bill to be entitled An act relating to insurance code, group disability insurance; amending §627.0602 (1) (c), Florida Statutes, providing that no director of a corporate employer shall be eligible for group disability insurance unless such person receives an annual compensation from the corporation in excess of two thousand five hundred dollars (\$2,500); providing an effective date.

—was read the second time by title. On motion by Senator Brantley, by two-thirds vote HB 452 was read the third time by title, passed and certified to the House. The vote was:

Yeas—32

Mr. President	Ducker	Horne	Saunders
Arnold	Fincher	Johnson (29th)	Sayler
Barron	Gong	Johnson (34th)	Scarborough
Bell	Graham	Knopke	Stolzenburg
Brantley	Gunter	Lane	Trask
Childers	Haverfield	Lewis (33rd)	Ware
Daniel	Henderson	Pope	Weissenborn
Deeb	Hollahan	Poston	Williams

Nays—None

By unanimous consent Senator Myers was recorded as voting yea.

Notice having been given pursuant to Rule 4.14, on motion by Senator Brantley, consent was obtained to take up out of order—

SB 571—A bill to be entitled An act relating to the state university system; authorizing the board of regents to establish an auxiliary trust fund in the state treasury from general revenue funds currently appropriated to the board; providing an effective date.

—which was read the second time by title. On motion by Senator Brantley, by two thirds vote SB 571 was read the third time by title, passed and certified to the House. The vote was:

Yeas—33

Mr. President	de la Parte	Johnson (29th)	Scarborough
Arnold	Ducker	Johnson (34th)	Stolzenburg
Beaufort	Gong	Lewis (33rd)	Trask
Bell	Graham	McClain	Ware
Boyd	Gunter	Myers	Weissenborn
Brantley	Haverfield	Pope	Williams
Childers	Henderson	Poston	
Daniel	Hollahan	Saunders	
Deeb	Horne	Sayler	

Nays—None

SB 330—A bill to be entitled An act relating to the department of transportation; amending §337.11(4) (a), (b) and (c), Florida Statutes, as amended by chapter 71-377, Laws of Florida, to require all supplemental agreements to be approved by the secretary; providing that supplemental agreements may exceed the physical limits of the original contract or project under certain conditions; amending the definition of physical limits; providing an effective date.

—was read the second time by title.

The Committee on Transportation offered the following amendment which was moved by Senator Beaufort:

Amendment 1—On page 2, lines 20 through 25 strike entire lines and insert: struction to meet field conditions, thus providing a safe and functional connection to an existing pavement, and to make the

On motion by Senator Beaufort, further consideration of SB 330 with pending amendment was deferred.

SB 300—A bill to be entitled An Act relating to certification of speech pathologists and audiologists; amending section 468.145, Florida Statutes, by adding subsection 468.145(4); providing for the department of education to waive examination and educational requirements for applicants who are certified to teach speech pathology and audiology and were so certified on July 9, 1969; providing an effective date.

—was taken up, having been read the second time and amended on February 10.

On motion by Senator Brantley, SB 300 was read the third time by title.

On motion by Senator Brantley, the rules were waived and further consideration of SB 300 was deferred.

On motion by Senator Brantley, the rules were waived and the Committee on Commerce was granted permission to consider SB 893 on February 24.

On motion by Senator Gunter, CS for HB 1528 was withdrawn from the Committee on Ways and Means by two-thirds vote and placed on the calendar.

On motion by Senator Horne, Rule 4.4 was waived and permission was granted the Committee on Judiciary—Civil B to file for introduction and consideration, a bill relating to ad valorem taxation.

On motion by Senator Horne, unanimous consent was obtained to introduce out of order—

By the Committee on Judiciary—Civil B—

SB 1155—A bill to be entitled An act relating to ad valorem taxation and application for exemption therefrom; amending §196.011, Florida Statutes, providing for application for such exemption shall not apply to public roads rights-of-way and borrow pits; providing an effective date.

—was read the first time by title and referred to the Committee on Judiciary—Civil B.

On motion by Senator Horne, the rules were waived and the Committee on Judiciary Civil—B was granted permission to consider SB 1155 on February 24.

On motion by Senator Myers, SB 304 was removed from the calendar and from further consideration of the Senate.

SB 646—A bill to be entitled An act relating to disability insurance; providing that no policy of disability insurance, shall be issued unless it contains a provision covering newborn infants, as defined; providing for a waiver of said provision; providing an effective date.

—was read the second time by title.

On motion by Senator Hollahan, further consideration of SB 646 was deferred and retained on second reading without dissent.

CO-INTRODUCERS

By permission, Senators Lane and Johnson (29th) were recorded as co-introducers of Senate Bills 494 and 722.

The hour of adjournment having arrived, a point of order was called and the Senate adjourned at 5:01 p.m. to convene at 8:30 a.m. for the purpose of introduction and reference of resolutions, memorials, bills and joint resolutions and thereafter to reconvene at 9:00 a.m., February 24, 1972.